



**RICHLAND COUNTY COUNCIL
SPECIAL CALLED MEETING AGENDA**

**JULY 29, 2014
6:00 PM**

CALL TO ORDER

THE HONORABLE NORMAN JACKSON

INVOCATION

THE HONORABLE GREG PEARCE

PLEDGE OF ALLEGIANCE

THE HONORABLE GREG PEARCE

Presentation Of Resolutions

1. a. National Aviation Week Proclamation [PEARCE]

Approval Of Minutes

2. Regular Session: July 15, 2014 [PAGES 6-14]
3. Zoning Public Hearing: July 22, 2014 [PAGES 15-18]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

Citizen's Input

4. For Items on the Agenda Not Requiring a Public Hearing

Report Of The County Administrator

Report Of The Clerk Of Council

Report Of The Chairman

5. a. National Night Out

Open/Close Public Hearings

6. a. An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2014B, or such other appropriate series designation of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-20, Road Paving Program; so as to add the Transportation Director and amend other language therein
- c. An Ordinance Approving a Budget for and the distribution of the revenues from the one percent (1%) sales and use tax for Transportation Projects for Fiscal Year 2014-2015 and other matters related thereto

Approval Of Consent Items

7. Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities [PAGES 22-28]
8. Emergency Services Department – Ladder Truck Purchase [PAGES 29-32]
9. Revision to the Public Defender Retention and Compensation Plan [PAGES 33-37]
10. Authorize One Additional Attorney Position – Kershaw County [PAGES 38-40]

Third Reading Items

11. An Ordinance Approving a Budget for and the distribution of the revenues from the one percent (1%) sales and use tax for Transportation Projects for Fiscal Year 2014-2015 and other matters related thereto [PAGES 41-47]
12. An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-20, Road Paving Program; so as to add the Transportation Director and amend other language therein [PAGES 48-54]
13. An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2014B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [PAGES 55-82]

Second Reading Items

14. An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$60,000.00 of General Fund Unassigned Balance to be used for Engineering Design and Easement Acquisition for the Lower Richland Sewer Project [PAGES 83-85]

Report Of Administration And Finance Committee

15. RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property

[PAGES 86-97]

16. Charleston County-SLBE Division Intergovernmental Agreement [PAGES 98-107]

Report Of Rules And Appointments Committee

1. Notification Of Appointments

17. Central Midlands Council of Governments - 1; one application was received from the following: [PAGES 108-114]

Alfred Comfort, III

Other Items

18. **REPORT OF THE OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE: [PAGES 115-117]**

Purpose, Mission, Service Coverage Area, and Department Names

19. **REPORT OF THE COMMISSION ON AGING AD HOC COMMITTEE:**

- a. Overview of the Mission of the Committee
- b. Review requested Information:
 - 1. Matrix of all organizations that provide senior service in Richland County
 - 2. Current Service Impact Areas and the possibility of expansion
 - 3. Service Cost
- c. Summary of Senior Services and Programs Provided by Other Counties

20. **REPORT OF THE HEALTH INSURANCE AD HOC COMMITTEE:**

- a. Overview of the Mission of the Committee
- b. Outline of Options Available to the County for the Provisions of Health Care Coverage to County Employees and Dependents
- c. Possible Partnership with Palmetto Health

Citizen's Input

21. Must Pertain to Items Not on the Agenda

Executive Session

Motion Period

Adjournment



Special Accommodations and Interpreter Services

Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.

Richland County Council Request of Action

Subject

- a. National Aviation Week Proclamation [**PEARCE**]

Richland County Council Request of Action

Subject

Regular Session: July 15, 2014 [**PAGES 6-14**]



**MINUTES OF
RICHLAND COUNTY COUNCIL
REGULAR SESSION
JULY 15, 2014
6:00 PM**

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Norman Jackson
Vice Chair	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Greg Pearce
Member	Torrey Rush
Member	Seth Rose
Member	Kelvin E. Washington, Sr.

OTHERS PRESENT – Tony McDonald, Roxanne Ancheta, Sparty Hammett, Warren Harley, Beverly Harris, Justine Jones, Ismail Ozbek, Nelson Lindsay, Brandon Madden, Monique McDaniels, Amelia Linder, Nancy Stone-Collum, Laura Saylor, Larry Smith, Tracy Hegler, Rudy Curtis, Rob Perry, Chris Gossett, Toni Edwards, Shawn Salley, Chad Fosnight, Anna Lange, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

The Invocation was given by the Honorable Norman Jackson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Norman Jackson

APPROVAL OF MINUTES

Special Called: June 30, 2014 – Mr. Manning moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

Regular Session: July 1, 2014 – Mr. Rush moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Ms. Dixon requested that Item #17 – Report of the Dirt Road Ad Hoc Committee be moved to Item #13.a.

Mr. Malinowski stated that Item #9 – “An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 5A, Office of Small Business Opportunity; so that a new department will be created” should not be listed as a consent item.

Mr. Washington moved, seconded by Ms. Dickerson, to add a resolution honoring Brigadier General Bruce T. Crawford on his promotion to Major General. The vote in favor was unanimous.

Mr. Smith stated that an Intergovernmental Agreement with the City of Columbia, Item #14.c. – Waterpark Scope of Work and Item #6.b. – Advance Biofuel Industry Cluster Presentation needs to be added under the Report of the Attorney for Executive Session Items.

Mr. Dickerson moved, seconded by Ms. Pearce, to adopt the agenda as amended. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Pearce stated that the Coroner’s Office provided Council information regarding the DNA Act.

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Smith stated that the following items were potential Executive Session Items:

- a. Solid Waste Contracts for Service Areas 1, 3 and 4**
- b. Employee Grievances (2)**
- c. Decker Center Naming**
- d. Richland County Logo**
- e. Limited Notice to Proceed for Program Development Team Contract**
- f. Potential IGA with City of Columbia**

g. Advance Biofuel Industry Cluster Presentation

h. Waterpark Scope of Work

CITIZENS INPUT

No one signed up to speak.

REPORT OF THE COUNTY ADMINISTRATOR

- a. Introduction of New Employee** – Mr. McDonald introduced Mr. Shawn Salley with the Transportation Department to Council.
- b. Curtiss-Wright Hangar Update** – Mr. McDonald stated that the project to redevelop the Curtiss-Wright Hangar will not be moving forward at this time.

REPORT OF THE CLERK OF COUNCIL

No report was given.

REPORT OF THE CHAIR

No report was given.

Mr. Malinowski moved, seconded by Mr. Washington, to allow those signed up for “Citizen’s Input: Must Pertain to Items Not on the Agenda” be allowed to speak at this time instead of at the end of the meeting. The vote was in favor.

PRESENTATION

Historic Columbia: Robin Waites, Executive Director – Ms. Waites presented to Council the 2014 Honor Award that Historic Columbia was awarded for the Woodrow Wilson House renovations.

CITIZENS INPUT

Ms. Helen Taylor, Ms. Wendy Brawley, Ms. Lillie Bates, Ms. Cameo Green, Mr. Barry Green, Ms. Karen Irick, Mr. Paul Brawley, Ms. Eileen Cooper, Mr. Willie Lewis and Mr. Thomas Gunter spoke regarding the Lower Richland Sewer Project.

Mr. Jacob Halstead spoke regarding the lack of a noise ordinance in Richland County.

APPROVAL OF CONSENT ITEMS

- **14-10MA, Gerald Steele, RU to GC (1.34 Acres), 1530 Dutch Fork Rd., 02415-07-01 [THIRD READING]**

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (f), Temporary Signs Requiring Permits; so as to delete “Grand Opening Signs” [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2; Administration; Article X, Purchasing by adding Section 2-591 to authorize County Council to determine which purchasing decisions regarding purchasing made exclusively with monies raised through the penny tax are of such County-wide significance that County Council has the authority to make the final and conclusive determination to whom to award the contracts [SECOND READING]**
- **An Ordinance Amending the Fiscal Year 2013-2014 Township Capital Projects budget to add Nine Hundred Fifty Six Thousand Dollars [SECOND READING]**
- **An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,00 General Obligation Bonds, Series 2014B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof [SECOND READING]**

Ms. Dixon moved, seconded by Mr. Malinowski, to approve the consent items. The vote in favor was unanimous.

FIRST READING ITEMS

An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$60,000.00 of General Fund Unassigned Balance to be used for Engineering Design and Easement Acquisition – Mr. Washington moved, seconded by Ms. Dixon, to approve this item. The vote was in favor.

Mr. Malinowski requested that the title of the ordinance be amended to provide more detail regarding the use of the funding.

REPORT OF THE DIRT ROAD AD HOC COMMITTEE

- a. Package “D” Bid Results** – Ms. Dixon stated the committee recommended approval of the individual bid package presented by staff for Package “D” and to award the contract to Lane Construction Co. for \$836,602.73. The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Mr. Washington, to reconsider this item. The motion failed.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

An Ordinance Authorizing, pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina 1976, as amended, the execution and delivery of an amendment to a Special Source Revenue Credit Agreement between Richland County, South Carolina and WNS Global Services Inc.; and matters relating thereto [FIRST READING] – Mr. Livingston stated that the committee recommended approval of this item. A discussion took place.

The vote in favor was unanimous.

Approval of Santee Cooper grant – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

Waterpark Scope of Work – This item was taken up in Executive Session.

THIRD READING ITEMS

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 5A, Office of Small Business Opportunity; so that a new department will be created – Ms. Dixon moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

Mr. Pearce moved, seconded by Ms. Dixon, to amend Sec. 2-232 as follows: “The director shall be appointed by and report to the county administrator...” A discussion took place.

The vote was in favor of the amendment.

Ms. Dickerson moved, seconded by Mr. Washington, to reconsider this item. The motion failed.

Mr. Washington moved, seconded by Ms. Dixon, to approve the ordinance as amended. The vote was in favor.

Ms. Dickerson moved, seconded by Ms. Dixon, to reconsider this item. The motion failed.

OTHER ITEMS

REPORT OF THE HOSPITALITY TAX FEASIBILITY STUDY COMMITTEE

- a. **Sports Arena**
- b. **Proposed Financing Strategy**
- c. **Staff Next Steps**

Mr. Livingston moved, seconded by Mr. Pearce, to move forward with the appraisal, wetlands delineation, and the site assessment Phase II. A discussion took place.

The vote was in favor.

Mr. Washington moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

POINT OF PERSONAL PRIVILEGE – Mr. Rose recognized that Major Chris Cowan who took Chief Birnie’s position was in the audience.

REPORT OF THE SEWER AD HOC COMMITTEE

- a. **Oasis Update** – Mr. Washington stated that the committee recommended scheduling a work session in September and to direct staff to analyze Options #1 and #2.

Mr. Pearce requested the costs associated with setting up an authority be provided by the time of the work session.

REPORT OF THE CONSOLIDATION/PRIVATIZATION AD HOC COMMITTEE

- a. **Septic and Storm Drainage Problems in the Suburbs** – Mr. Malinowski moved, seconded Mr. Washington, to direct staff to do their due diligence during the August recess and bring back to the Sewer Ad Hoc Committee. The vote in favor was unanimous.

EXECUTIVE SESSION

=====
Council went into Executive Session at approximately 7:42 p.m. and came out at approximately 8:30 p.m.
=====

- a. **Solid Waste Contracts for Service Areas 1, 3 and 4** – Ms. Dixon moved, seconded by Ms. Dickerson, to direct staff to move forward with the Solid Waste contracts as discussed in Executive Session. The vote in favor was unanimous.
- b. **Waterpark Scope of Work** – Mr. Rush moved, seconded by Mr. Livingston, to move forward with the contractual matter on the waterpark as discussed in Executive Session. The vote in favor was unanimous.

Mr. Washington moved, seconded by Mr. Livingston, to reconsider this item. The motion failed.

- c. **Limited Notice to Proceed for Program Development Team Contract** – Mr. Livingston moved, seconded by Ms. Dickerson, to award the contract to the PDT in the amount of \$2,834,100. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Ms. Dickerson, to reconsider this item. The motion failed.

- d. **Decker Center Naming** – Mr. Manning moved, seconded by Mr. Rush, to proceed with the committee’s recommendation to name the Decker Center the “Decker Center”. The vote in favor was unanimous.
- e. **Employee Grievances (2)** – Mr. Livingston moved, seconded by Ms. Dickerson, to accept the Administrator’s recommendation. The vote in favor was unanimous.
- f. **Advance Biofuel Industry Cluster** – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to the Economic Development Committee. The vote in favor was unanimous.
- g. **Richland County Logo** – Ms. Dixon moved, seconded by Ms. Dickerson, to move forward with the Richland County logo as discussed in Executive Session. The vote in favor was unanimous.

MOTION PERIOD

- a. **Move that Richland County Council restore the historic Curtiss Wright Hangar at the Richland County Owens Field Airport [ROSE]** – This item was referred to the Rules & Appointments Committee.
- b. **Council establish a budget committee [WASHINGTON]** – This item was referred to the A&F Committee.
- c. **Resolution Honoring Brigadier General Bruce T. Crawford [WASHINGTON]** – Mr. Washington moved, seconded by Mr. Livingston, to adopt a resolution honoring Brigadier General Bruce T. Crawford. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 8:36 p.m.

Norman Jackson, Chair

Joyce Dickerson, Vice-Chair

Julie-Ann Dixon

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Greg Pearce

Seth Rose

Torrey Rush

Kelvin E. Washington, Sr.

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Zoning Public Hearing: July 22, 2014 [**PAGES 15-18**]

MINUTES OF



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING TUESDAY, JULY 22, 2014 7:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Norman Jackson
Vice Chair	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Damon Jeter
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Greg Pearce
Member	Seth Rose
Member	Torrey Rush
Member	Kelvin E. Washington, Sr.

OTHERS PRESENT: Amelia Linder, Tracy Hegler, Geo Price, Holland Leger, Tommy DeLage, Sparty Hammett, Monique McDaniels, Monique Walters, Betty Etheredge, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 7:01 p.m.

ADDITIONS/DELETIONS TO AGENDA

Ms. Hegler stated that there were no additions or deletions to the agenda.

Mr. Rush moved, seconded by Mr. Livingston, to adopt the agenda as published.

Ms. Dixon moved, seconded by Mr. Washington, to reconsider the adoption of the agenda. The vote in favor was unanimous.

Mr. Washington moved, seconded by Ms. Dixon, to re-order the agenda to take up Case # 14-13MA at the end of the agenda. The vote in favor was unanimous.

MAP AMENDMENT

14-16MA, Hansel L. Carter, RU to GC (0.46 Acres), 115 Congaree Run, 30600-05-02(p)

Mr. Jackson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Ms. Dixon moved, seconded by Mr. Malinowski, to defer this item until the September Zoning Public Hearing. The vote in favor was unanimous.

14-18MA, Mark Warther, M-1 to GC (0.12 Acres), 22 Bluff Rd., 11301-18-01

Mr. Jackson opened the floor to the public hearing.

No one signed up to speak.

The floor to the public hearing was closed.

Mr. Washington moved, seconded by Mr. Malinowski, to deny the re-zoning request. The vote in favor was unanimous.

14-13MA, Toby Ward, RS-LD to OI (2.9 Acres), 1335 Elm Abode Terr., 07308-05-08

Mr. Jackson opened the floor to the public hearing.

Valerie Aiken, Charles Aiken, Marinda Aiken, Sandra Sims, Byron Counts, Brenda Tucker, Sammie Grant, James Whitmire, Deborah Breedlove, Tim Davis, Maurice Webber, Henry Motes, Connie Breedon, Tony Gordon, Bryan Armstrong, Joseph Mitchell, Julius Murray and Toby Ward spoke in favor of the re-zoning.

Ina Fort, Kathye Holder, Lee Fort, Mitchell Kneece, Peggy Pitts, Ed Madden, Jeannne Byrd, Les Clark, Bob Holmes, Tom Fort, Jean Jackson, Michael Haigler, David White, Johnny Brown, David Bolton, Richard Addy, C. M. Snyder and Rosa Tyler spoke in opposition to the re-zoning.

Mr. Livingston moved, seconded by Ms. Dickerson, to defer this item until the September Zoning Public Hearing. The vote was in favor.

ADJOURNMENT

The meeting adjourned at approximately 8:36 p.m.

Submitted respectfully by,

Norman Jackson
Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

For Items on the Agenda Not Requiring a Public Hearing

Richland County Council Request of Action

Subject

- a. National Night Out

Richland County Council Request of Action

Subject

- a. An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2014B, or such other appropriate series designation of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-20, Road Paving Program; so as to add the Transportation Director and amend other language therein
- c. An Ordinance Approving a Budget for and the distribution of the revenues from the one percent (1%) sales and use tax for Transportation Projects for Fiscal Year 2014-2015 and other matters related thereto

Richland County Council Request of Action

Subject

Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities [**PAGES 22-28**]

Notes

July 22, 2014 - The Committee recommended that Council send this item to the Commission on Aging Ad Hoc Committee. The Committee requested that the Commission on Aging Ad Hoc Committee address this item with immediacy.

Richland County Council Request of Action

Subject: Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities

A. Purpose

Richland County Council is requested to approve appropriating \$35,000 from the General Fund to fund Richland County Recreation Commission (RCRC) to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.

B. Background / Discussion

At the 3rd reading budget meeting on June 12, 2014, Councilman Washington made the following motion:

“Fund \$35,000 from general fund to Richland County Park and Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.”

The three locations mentioned in the budget motions list where transportation is being requested are Killian Park, Denny Terrace Community Center, and Hopkins Park Adult Activity Center. This item was forwarded to the June D&S Committee.

RCRC has three adult activity centers (Parklane, Garners Ferry and Hopkins) – see attached maps – that provide programs and services for adults, ages 21 and older in Richland County. Also, they provide a variety of programs and services for senior citizens, including:

- Social programs
- Wellness education
- Traveling opportunities
- Fitness Programs

Fitness programs offered at RCRC facilities for seniors are free, including their arthritic fitness activities. All patrons can pay \$1 a day, \$10 a month or \$75 a year to use RCRC fitness equipment at their facilities.

Meals for seniors, provided by Senior Resources, are offered at Killian Park, Denny Terrace Community Center, and Hopkins Park Adult Activity Center.

Currently, RCRC does not transport senior citizens to and from their homes to various destinations for RCRC programs or services. RCRC provides traveling opportunities for senior citizens for field trips. However, participants are required to contribute some funding for the use of RCRC vehicles. The amount of their contribution is based on the activity

requiring transportation. RCRC has a 15 passenger van and a 14 passenger adult leisure bus for traveling.

C. Legislative / Chronological History

There is no legislative or chronological history other than the stated motion.

D. Financial Impact

For FY 15, the County would incur a direct cost of \$35,000. The motion requests funding this item from the General Fund. RCRC would be responsible for ensuring the funds are used as stated in the motion (“transporting Senior Citizens to and from home and also trips to various destinations for programming purposes” for the 3 facilities outlined in the motion). Further, it is unknown at this time if this will be a recurring annual cost, if the \$35,000 is sufficient to meet 100% of the needs at the three facilities, or if there are other similar needs that are outstanding at other RCRC facilities.

E. Alternatives

1. Approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.
2. Do not approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.
3. Fund another amount and/or other RCRC facilities for these purposes.

F. Recommendation

It is recommended that Council approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.

Recommended by: Kelvin Washington Department: County Council Date: June 12, 2014

G. Reviews

(Please replace the appropriate box with a v and the support your recommendation in the Comments section before routing on. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 6/18/14

Recommend Council approval

Recommend Council denial

Recommend Council discretion

Comments regarding recommendation:

The request is a funding decision for Council. During the FY15 budget process, Council approved the motion to be sent to committee for review without funding. Approval would require the identification of a funding source and based on source may require a budget amendment.

Legal

Reviewed by: Elizabeth McLean

Date: 6/19/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion. Legal previously offered an opinion on this issue, which was provided to Council via email on June 11, 2014.

Administration

Reviewed by: Roxanne Ancheta

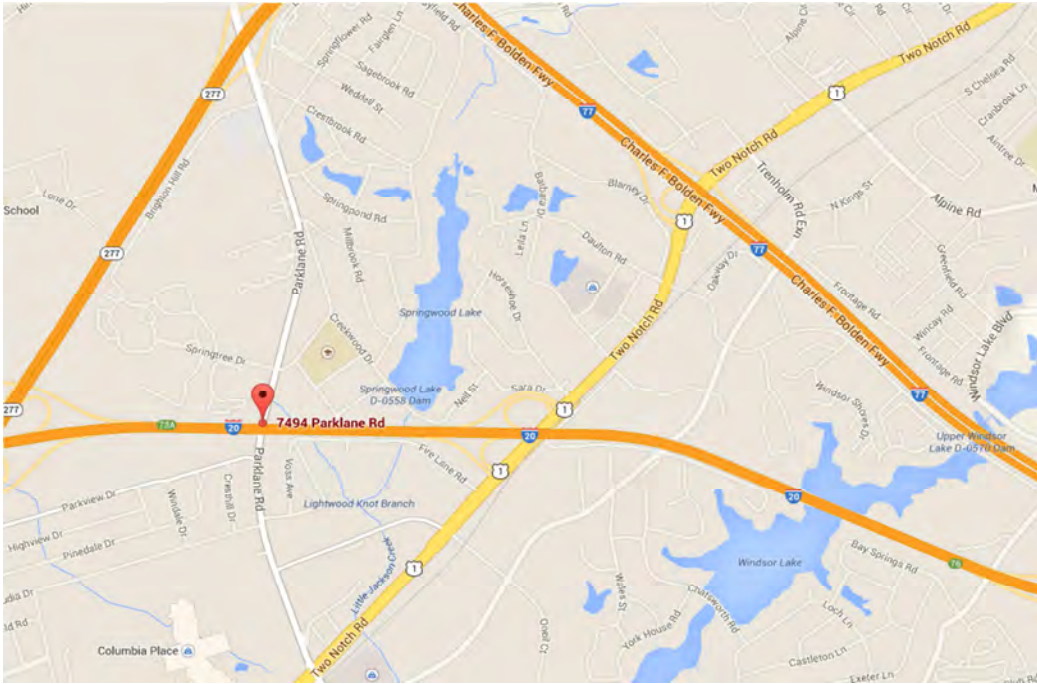
Date: June 19, 2014

Recommend Council approval

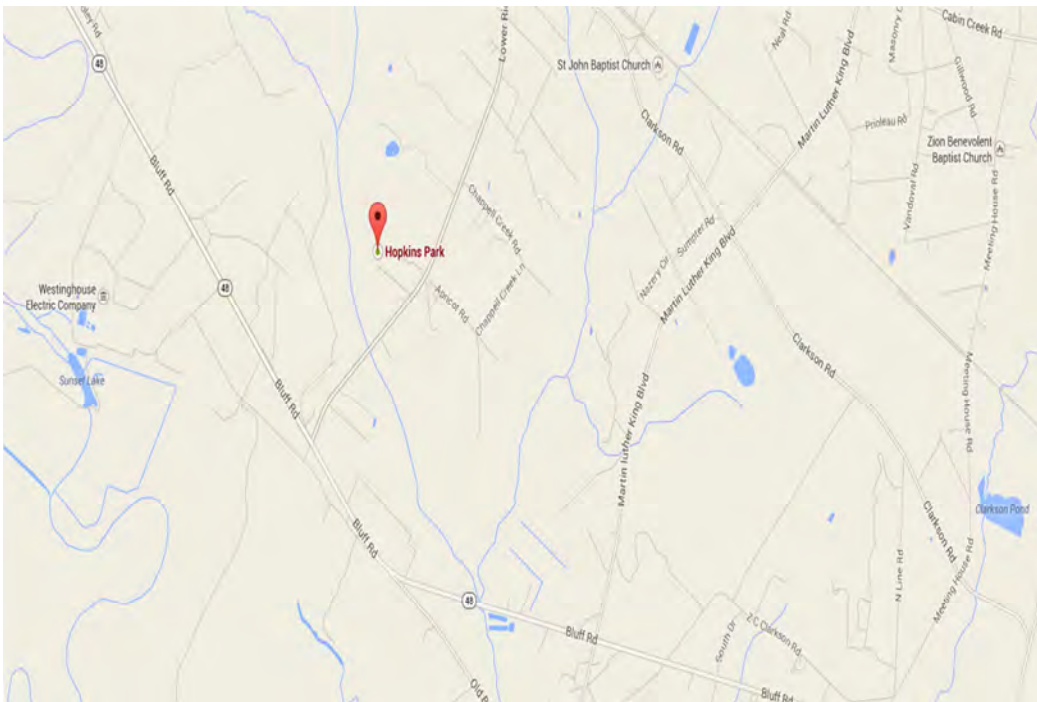
Recommend Council denial

Comments regarding recommendation: This is a policy decision at Council's discretion. If Council approves this item a funding source will need to be identified.

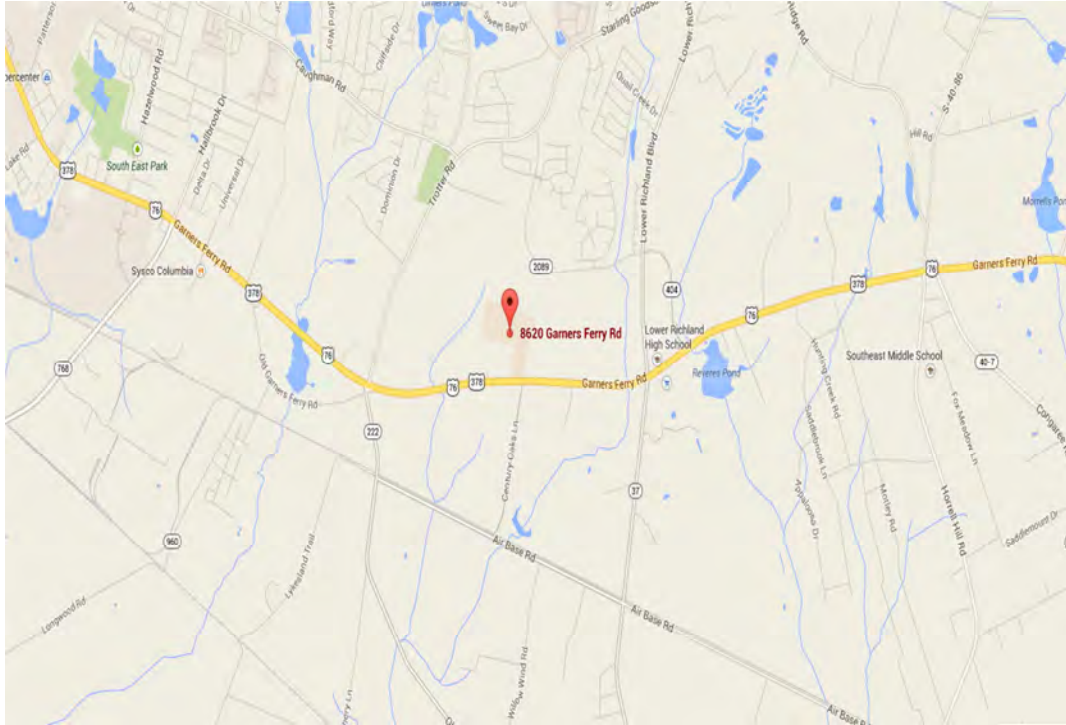
Parklane Adult Activity Center
7494 Parklane Road, Columbia, SC 29223



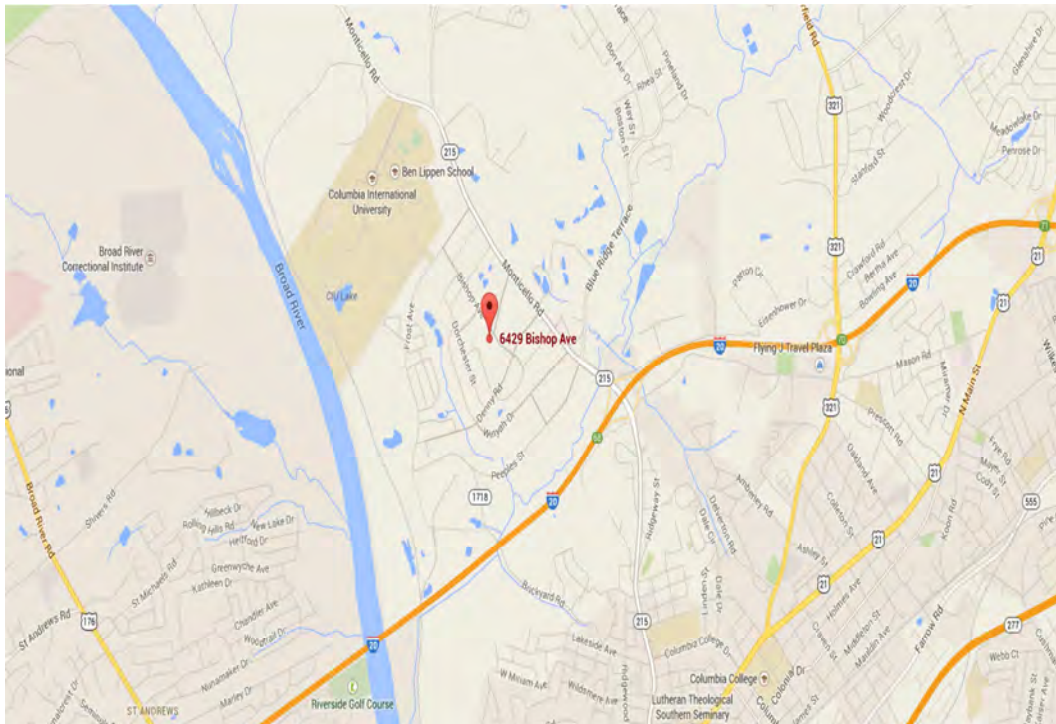
Hopkins Adult Activity Center
150 Hopkins Park Road, Hopkins, SC 29061



Garners Ferry Adult Activity Center
8620 Garners Ferry Road, Hopkins, SC 29061

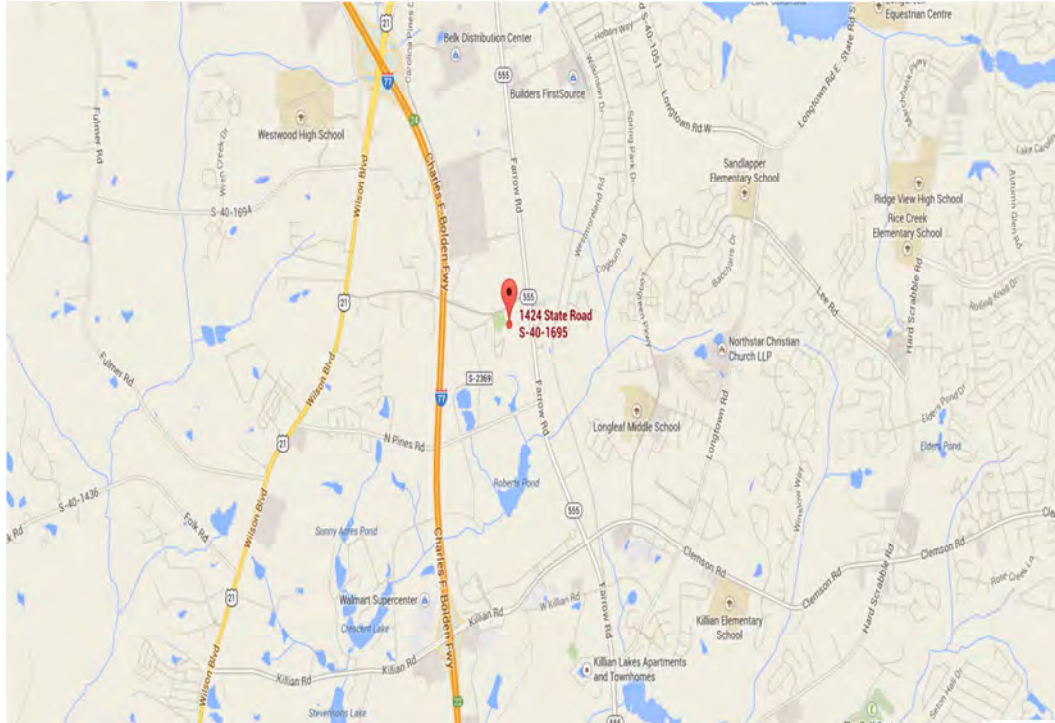


Denny Terrace Community Center
6429 Bishop Avenue, Columbia, SC 29203



Killian Park

1424 Marthan Road, Blythewood, SC 29016



Richland County Council Request of Action

Subject

Emergency Services Department – Ladder Truck Purchase [**PAGES 29-32**]

Notes

July 22, 2014 - The Committee recommended that Council approve the purchase of a used ladder truck in the amount of \$300,000 (estimate) to provide fire service in the county until a new one can be ordered, built and delivered.

Richland County Council Request of Action

Subject: Emergency Services Department – Ladder Truck Purchase ESD 07012014

A. Purpose

The purpose of this request is to obtain Council’s approval to purchase a used ladder truck to provide fire service in the county until a new one can be ordered, built and delivered. The used truck will serve as a “reserve” (back-up) after the new truck arrives. Richland County has only one ladder truck and it is out-of-service and will not be repaired. The earliest a new truck can be delivered is 12 – 18 months. Funds are available in the Emergency Services budget. No additional funds are needed.

B. Background / Discussion

Richland County currently owns one ladder truck built in 1993 with over 137,700 miles. The truck has exceeded its life expectancy and repairs will exceed its value. The planned replacement is included in the large truck purchase which will be funded with the bond. However, once a bid is awarded, it will take up to a year to build the truck. A replacement truck is needed now and a used truck is a good solution because we also need a “reserve” ladder truck as part of the Insurance Services Office’s (ISO) public protection classification evaluation. Once the new truck arrives, the used one will become the reserve for Richland County.

Several used ladder trucks are being evaluated at the time of this request and the one recommended for purchase will be presented to Council prior to the Committee meeting.

C. Legislative / Chronological History

This is a staff initiated request. Therefore there is no legislative history.

D. Financial Impact

This purchase was planned and funding is included in the Emergency Services Department’s budget 1206220000-5313. The estimated cost is \$300,000.

E. Alternatives

1. Approve the purchase of the recommended ladder truck for immediate use and to be used as a “reserve” ladder truck.
2. Do not approve the purchase of a used ladder truck.
3. Seek other solutions.

F. Recommendation

It is recommended that Council approve the purchase of a used ladder truck as presented.

Recommended by: Michael A. Byrd, Director

Department: Emergency Services

Date: 7/1/2014

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 7/3/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommendation based on funding available as stated in the request.

Procurement

Reviewed by: Christy Swofford

Date: 7/8/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 7/8/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Warren Harley

Date: July 8, 2014

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: This purchase will ensure that we are able to deliver adequate fire service coverage throughout the year, and provide a reliable back up option once the new ladder truck is available.

2000 Aerial Ladder Apparatus



A search has been underway for several months to locate a used ladder truck. On July 15, 2014, an onsite inspection was conducted of a ladder truck owned by New Hanover Volunteer Fire Department in New Hanover, Pennsylvania. The truck has been very well maintained and kept in great condition. In addition to a visual and operational inspection, the truck was given a road and function test. The maintenance, inspection and test certification documents were reviewed and are acceptable. The manufacturer is KME and the truck has 12,053 miles and has 1,777 hours on the hour meter. The current owner has agreed to install all new tires, perform all preventive maintenance, and provide brand new certification and inspections as required by NFPA prior to delivery. We will not accept the apparatus until it is delivered to Richland County. The sale price of this apparatus is **\$279,000**.

This truck will be initially placed into service at station 14 in Dentsville. Once the new ladder truck is received, this will become our reserve truck. The station in Dentsville is an older station that has a low door height, a steep angle of departure, and a steep angle of approach. Most aerial apparatus will not fit into the station so the choices are limited. This aerial apparatus will be able to operate in station 14.

For comparison, here is a list of similar trucks for sale at this time.

- 1)...2007 Mid Mount Sutphen \$489.000
- 2)...2002 Rear Mount Bronto \$425.000
- 3)...1999 Rear Mount Platform Peirce \$375.000
- 4)...1999 Ladder no water Ferrara \$230.000
- 5)...2002 75ft. Quint Peirce \$325.000

Richland County Council Request of Action

Subject

Revision to the Public Defender Retention and Compensation Plan **[PAGES 33-37]**

Notes

July 22, 2014 - The Committee recommended that Council approve the revisions to the Public Defender Retention and Compensation Plan at a no-cost increase.

Richland County Council Request of Action

Subject: Revision to the Public Defender Retention and Compensation Plan

A. Purpose

County Council is requested to approve the revisions to the Public Defender Retention and Compensation Plan passed last year set forth below in the Discussion.

B. Background / Discussion

On October 1, 2013, County Council approved the Public Defender Retention and Compensation Plan which, among other things, provided a structure for regular raises for the attorney staff of the Public Defender’s office.

Since the time this plan was passed the County instituted a six per cent (6%) increase in the starting salary which has impacted the raises contemplated by the Retention and Compensation Plan. The current request makes two minor adjustments to the salary structure of the Plan. The changes are most easily seen in the table below:

	Original	Current	Requested
Starting pay	\$37,009	\$39,321	\$39,321
Salary after raise at the end of first year	\$40,000	\$40,000	\$42,500
Salary after raise at the end of second year	\$45,000	\$45,000	\$45,000
Raise in subsequent years until maximum reached	\$5,000	\$5,000	\$5,000

In short, the increase in starting pay instituted last year has almost eliminated the raise contemplated by the Plan. The change requested would result in approximately the same raise as under the original plan, followed by a reduction in the raise after the second year of service which gets the plan back on the original schedule.

The approved Public Defender Retention and Compensation Plan is attached (ATTACHMENT “A”).

C. Legislative / Chronological History

There is no legislative history for this request. The original Compensation and Retention Plan was approved by County Council on October 1, 2013.

D. Financial Impact

There will be no financial impact on County funding from this plan. As was the case when the Plan was proposed last year, the changes will be paid for by increases in state funding. In reality, an increase in spending has already occurred, independent of this request, as a result of the 6% increase in minimum salaries instituted last December.

E. Alternatives

List the alternatives to the situation. There will always be at least two alternatives:

1. Approve the request to make the minor modification to the salary structure and enable me to show attorneys in this office a career path which affords them an opportunity to make a wage consistent with their training, and encourages them to remain with this office long-term.
2. Do not approve this request, and fail to provide the financial encouragement needed to retain well trained, and motivated attorneys in this office.

F. Recommendation

I recommend that County Council approve this request to make the minor adjustments set forth above in the salary increases called for in the Public Defender Retention and Compensation Plan during the first two years of an attorney’s employment.

Recommended by: Circuit Public Defender Douglas S. Strickler
Department: 5th Circuit Public Defender
Date: June 25, 2014

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers	Date: 7/2/14
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Comments regarding recommendation:

This is a request for a salary plan therefore it is left to Council discretion. I would recommend that the County consider having a consistent pay plan structure instead of multiple variation for different departments.

Procurement

Reviewed by: Dwight Hanna	Date: 7/7/14
<input type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Comments regarding recommendation: County Council has previously approved the Public Defender’s original Compensation and Retention Plan in 2013. Therefore, it is County’s discretion as to whether to amend the plan as requested.

HRD fully supports employees of the Public Defender’s Office and all RCG employees being eligible for appropriate wages and pay increases. Considerations for appropriately competitive pay rates include proper external market considerations as well as adequate attention to internal pay equity. Greater County wide classification and compensation plan efficiency can normally be achieved with internal equity assessment of similar jobs

at the same time. There are attorney jobs in several other RCG departments (i.e. Solicitor, CASA, and Legal). Best practice for managing pay plans efficiently suggests as the number of plans increase the complexity (possibility for errors or omissions) for administering those plans increase directly.

The Public Defender has agreed to responsible for initiating pay changes (PAFs) associated with this plan.

Legal

Reviewed by: Elizabeth McLean

Date: 7/7/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Warren Harley

Date: 7/15/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommend approval because the overall plan does not appear to be a major change of the original plan approved by council. However, I would agree with Finance and HRD that a comprehensive approach that creates a consistent pay structure is more desirable than individual plans for each department.

ATTACHMENT "A"

	Current Salary	Start Date	Should be as of 11/13	11/1/13	5/1/14
County PD	\$79,560.00		\$95,000.00	\$85,000.00	\$90,000.00
Deputy PD	\$58,344.00	11/01/06	\$75,000.00	\$65,000.00	\$70,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$47,736.00	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$50,281.92	11/01/07	\$65,000.00	\$55,000.00	\$60,000.00
Asst PD	\$58,344.00	09/01/08	\$65,000.00	\$65,000.00	\$65,000.00
Asst PD	\$47,736.00	11/01/08	\$60,000.00	\$55,000.00	\$60,000.00
Asst PD	\$42,432.00	11/01/10	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$42,432.00	11/01/10	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$42,432.00	03/01/11	\$50,000.00	\$45,000.00	\$50,000.00
Asst PD	\$47,736.00	05/01/11	\$55,000.00	\$55,000.00	\$55,000.00
Asst PD	\$47,736.00	05/01/11	\$55,000.00	\$55,000.00	\$55,000.00
Asst PD	\$39,259.15	12/01/11	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$39,259.15	05/01/12	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$39,259.15	05/01/12	\$45,000.00	\$40,000.00	\$45,000.00
Asst PD	\$37,009.00	11/15/13	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	09/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	12/01/12	\$40,000.00	\$40,000.00	\$40,000.00
Asst PD	\$37,009.00	6/3/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	6/3/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	6/17/2013	N/A	\$37,009.00	\$40,000.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Asst PD	\$37,009.00	11/15/2013	N/A	\$37,009.00	\$37,009.00
Increase in cost				\$91,935.63	\$73,973.00

Salaries are for current attorneys and positions with start dates as reflected – names have been redacted.

Raises indicated in bold.

Richland County Council Request of Action

Subject

Authorize One Additional Attorney Position – Kershaw County **[PAGES 38-40]**

Notes

July 22, 2014 - The Committee recommended that Council authorize the hiring of one additional Attorney I position for the Kershaw County Public Defender's Office at no cost to Richland County, as the position will be paid in full with funds supplied by Kershaw County, and by state funds allocated to the Kershaw County operation.

Richland County Council Request of Action

Subject: Authorize One Additional Attorney Position – Kershaw County

A. Purpose

I request that County Council authorize one additional Attorney I position for the Kershaw County office.

B. Background / Discussion

Since the formation of the Circuit Public Defender system in 2007/2008, and its implementation in the 5th Circuit in 2011, the Kershaw County office of the 5th Circuit Public Defender has been funded sufficiently to employ two (2) attorneys.

Evaluation of the needs of the operation in Kershaw County early on revealed the need for no fewer than four (4) attorneys to staff that office at an even minimally satisfactory level.

I have lobbied Kershaw County Council consistently over a six year period to increase funding sufficiently to expand the operation there. This year Kershaw County Council has approved an increase in the amount of \$50,000 for the operation of the Public Defender office there. This increase (when combined with a modest increase of around \$6,000 in state funding this year) is sufficient to fund one new attorney position in Kershaw County.

The addition of another attorney's position in Kershaw County will enable the office to expand its representation in the summary courts of that jurisdiction – an area which has been running severely curtailed services for years now. It will also help address the out of control case loads of the two current attorneys there.

C. Legislative / Chronological History

There is no legislative history associated with this request.

D. Financial Impact

There is no financial impact associated with this request. While the Kershaw County staff persons of the Public Defender's office are Richland County employees, they are paid in full with funds supplied by Kershaw County, and by state funds allocated to the Kershaw County operation. No Richland County funds are used to support the Kershaw County operation, and this will not change with the addition of one attorney that is requested here.

E. Alternatives

1. Approve the request to add one attorney to the Kershaw County Public Defender operation, and enable the office there to fulfill its Constitutionally and statutorily mandated role in the defense of indigents.
2. Do not approve the request to add an attorney to the Kershaw County Public Defender operation and increase the very real likelihood of legal action being brought against that county by the ACLU and other concerned organizations which are closely monitoring the degree to which all the counties of this state are abiding by the requirement to provide representation for defendants in the summary courts of this state.

F. Recommendation

I recommend that County Council approve this request, and authorize the addition of one Attorney I position in Kershaw County Public Defender’s office to be paid for with Kershaw County funds.

Recommended by: Circuit Public Defender Douglas S. Strickler
Department: 5th Circuit Public Defender
Date: June 25, 2014

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers Date: 7/3/14
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

This is a funding item at the discretion of Council however as stated, funding would be provided by Kershaw County. Council may want to consider including language related to the disposition of the position if funding is not provided in the future.

Procurement

Reviewed by: Dwight Hanna Date: 7/7/14
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Approval at discretion of County Council. This reports not to have any budget impact on Richland County Government. HRD has not participating in or been involved in any staffing assessment or analysis and therefore, can’t comment relative to staffing needs.

Legal

Reviewed by: Elizabeth McLean Date: 7/7/14
 Recommend Council approval Recommend Council denial
Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Warren Harley Date: 7/14/14
✓ Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Richland County Council Request of Action

Subject

An Ordinance Approving a Budget for and the distribution of the revenues from the one percent (1%) sales and use tax for Transportation Projects for Fiscal Year 2014-2015 and other matters related thereto **[PAGES 41-47]**

Notes

First Reading: June 17, 2014

Second Reading: July 1, 2014

Third Reading:

Public Hearing: July 29, 2014 [Tentative]

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____

AN ORDINANCE APPROVING A BUDGET FOR AND THE DISTRIBUTION OF THE REVENUES FROM THE ONE PERCENT (1%) SALES AND USE TAX FOR TRANSPORTATION PROJECTS FOR FISCAL YEAR 2014-2015 AND OTHER MATTERS RELATED THERETO.

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION 1. Findings and Determinations. The County Council (the "County Council") of Richland County, South Carolina (the "County"), hereby finds and determines:

(a) The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

(b) Pursuant to the Act, on July 18, 2012, the County enacted Ordinance No. 039-12HR (the "Sales Tax Ordinance") imposing a one percent (1%) sales and use tax (the "Sales and Use Tax") within the County for a period of 22 years for the purpose hereinafter described.

(c) Pursuant to the terms of the Act and the Sales Tax Ordinance, a referendum was held in the County on November 6, 2012, regarding imposition of the Sales and Use Tax, which resulted in a favorable vote of a majority of the qualified electors.

(d) The Sales and Use Tax will be expended for the payment of administrative expenses and the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:

(i) Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements. Maximum Amount: \$656,020,644 which is 63% of the amount available for project costs ("Project 1");

(ii) Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements. Maximum Amount: \$300,991,000 which is 29% of the amount available for project costs ("Project 2"); and

(iii) Improvements to pedestrian sidewalks, bike paths, intersections and greenways. Amount: Maximum Amount: \$80,888,356 which is 8% of the amount available for project costs ("Project 3," together with Project 1 and Project 2, the "Projects").

(e) The imposition of the Sales and Use Tax and the use of Sales and Use Tax revenue shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of Sales and Use Tax revenue established by the Act and other applicable law. Subject to annual appropriations by County Council, Sales and Use Tax revenues shall be used for the costs of the Projects approved in the referendum, including, without limitation, payment of administrative costs of the Projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the Projects.

(f) The Sales and Use Tax was imposed beginning May 1, 2013. The revenue generated for April, May and June 2014 will be received in fiscal year 2014-2015. The terms and provisions of this ordinance relate to the fiscal year in which the County receives the Sales and Use Tax revenue.

SECTION 2. Receipt of Funds by County Treasurer; Distribution Thereof. Pursuant to the Act, the State Treasurer shall distribute the revenue from the Sales and Use Tax quarterly to the Richland County Treasurer (the "County Treasurer"). The County Treasurer shall hold the revenues and any interest earnings of the Sales and Use Tax in a fund separate and distinct from all other funds of the County. Quarterly distributions of the revenue shall be made by the County in the amounts and only for the purposes stated herein.

SECTION 3. Approval of Budget; Authorization to Distribute Sales Tax Revenue. Pursuant to the Act and the ballot question approved in the referendum held on November 6, 2012, the distribution of the Sales and Use Tax revenue shall be as follows:

(a) 3% of each quarterly payment shall be paid to the County for payment of administrative costs related to the Projects;

(b) The balance of each quarterly payment shall be distributed as follows:

(i) 63% shall be paid to the County for costs of Project 1;

(ii) 29% shall be paid to the Central Midlands Regional Transit Authority for Project 2; and

(ii) 8% shall be paid to the County for costs of Project 3.

(c) Prior to the expenditure of funds for Projects 1 and 3, the County Administrator will obtain County Council's approval for such expenditure. Prior to the expenditure of funds by the Central Midlands Regional Transit Authority (the "CMRTA") for Project 2, the CMRTA shall provide County Council with a copy of its budget for fiscal year 2014-2015, a copy of which is attached to this Ordinance.

SECTION 4. Reporting Requirements.

(a) The County Administrator shall provide periodic reports to County Council regarding the use of Sales and Use Tax revenues for Projects 1 and 3 in such form and in such frequency as shall be requested by County Council.

(b) The CMRTA shall provide to County Council an independent annual audit and quarterly financial information, all in a form satisfactory to County Council.

SECTION 5. Miscellaneous.

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

(c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this ordinance.

(d) This Ordinance shall take effect immediately upon approval at third reading.

(e) All previous ordinances regarding the same subject matter as this ordinance are hereby repealed.

[Signatures Follow]

Enacted this ____ day of _____, 2014.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Norman Jackson, Chairman
Richland County Council

(SEAL)

ATTEST THIS ____ DAY OF
_____, 2014:

Michelle Onley
Interim Clerk to County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Date of First Reading:

Date of Second Reading:

Date of Third Reading:

**Central Midlands Regional Transit Authority
Budget
Year Ending June 30, 2015**

		Budget	% of	Actual	Projected	Budget			
		FYE 6/30/2014	Revenue	Nine Months	Actual	FYE 6/30/2015	Notes		
				Ended 3/30/14	6/30/2014				
Revenue									
1	3010-010-000-00	Farebox Revenue	1,476,402	5.69%	1	1,001,051	1,334,735	1,374,777	1
2	3020-010-000-00	Ticket Sales Revenue	425,000	1.64%	2	391,881	494,175	509,000	D 2
3	3022-010-000-00	Advertising Revenue	44,500	0.17%	3	14,817	19,756	20,349	3
4	3023-010-000-00	In Kind Revenue	60,000	0.23%	4	-	60,000	60,000	4
5	3025-010-000-00	Contracted Service Revenue	-	0.00%	5	-	-	-	5
6	3026-010-000-00	Local Revenue-Columbia	-	0.00%	6	-	-	-	6
7	3027-010-000-00	Local Revenue-Lexington Cty	116,250	0.45%	7	96,063	128,084	140,892	7
8	3031-010-000-00	Local Revenue - Richland Cty	-	0.00%	8	-	-	-	8
9	3033-010-000-00	1% Sales Tax Revenue Earned	14,985,186	57.74%	9	10,845,367	14,460,489	14,400,000	9
10	3032-010-000-00	Interest Income	-	0.00%	10	464	619	10,000	10
11	3037-010-000-00	State Mass Transit Funds-Operations Revenue	471,121	1.82%	11	344,290	459,053	607,611	11
12	3110-010-096-010	Federal Revenue Capital	305,347	1.18%	12	8,794	8,794	874,628	12
13	3110-010-210-00	Federal Revenue - Planning	-	0.00%	13	-	-	28,000	13
14	3110-010-018-00	Federal Revenue: Mobility Management	82,496	0.32%	14	17,003	17,003	40,000	14
15	3111-010-000-00	Projected PM & DART Grant Revenue	1,987,518	7.66%	15	1,325,207	1,325,207	334,380	15
16	3110-010-000-09	Federal Revenue for CapX Fleet Procurement	6,000,000	23.12%	16	-	-	1,174,500	C 16
17	3110-010-015-00	Federal New Freedom Travel Trainer	-	0.00%	17	-	-	27,000	17
18	3110-010-008-00	Medical Escort Grant	-	0.00%	18	-	-	62,460	18
19	3110-010-045-09	Federal Revenue - Lucius Road Capital	-	0.00%	19	119,734	119,734	531,457	E 19
20	3110-010-096-10	Federal Revenue - ARRA Capital	-	0.00%	20	269,546	269,546	141,711	E 20
21	3110-010-096-09	Federal Revenue - ARRA PM	-	0.00%	21	2,999	2,999	-	21
22	3112-010-210-09	Federal Revenue-Capital (PM)	-	0.00%	22	-	-	-	22
23	3112-010-247-09	Federal Revenue-Capital (PM)	-	0.00%	23	-	-	-	23
24	3400-010-000-00	Gain on Disposition of Assets	-	0.00%	24	35,111	35,111	-	24
25	3900-010-000-00	Miscellaneous Income	-	0.00%	25	(121)	(121)	-	25
26		Total Revenue	25,953,820	100.00%	26	14,472,206	18,735,184	20,336,765	26
Expenses									
27	4101-010-000-00	Salaries	608,551	2.34%	27	360,786	535,179	561,938	27
28	4102-010-000-00	Interns/Temps	-	0.00%	28	39,776	39,776	12,000	28
29	4103-010-000-00	Contracted Laborers	-	0.00%	29	23,188	32,881	33,867	29
30	4140-010-000-00	Fringe Benefits	317,202	1.22%	30	121,317	179,895	197,885	30
31	4168-010-000-00	Vehicle Allowance	-	0.00%	31	2,294	3,194	3,708	31
32	4201-010-000-00	Dues & Subscriptions:	22,500	0.09%	32	1,096	1,461	22,500	32
33	4202-010-000-00	Employee Training	6,695	0.03%	33	15,451	15,751	35,000	33
34	4203-010-000-00	Marketing/Advertising/Promotion	95,000	0.37%	34	63,300	84,400	86,932	34
35	4204-010-000-00	Legal Advertising:	4,120	0.02%	35	433	922	950	35
36	4205-010-000-00	Transit Facility Maint /Repair:	160,188	0.62%	36	181,305	241,740	125,000	36
37	4206-010-000-00	Office Supplies/Other Expenses:	12,360	0.05%	37	7,271	9,695	9,986	37
38	4208-010-000-00	Postage & Shipping	1,236	0.00%	38	1,000	1,333	1,373	38
39	4209-010-000-00	Printing	77,250	0.30%	39	22,868	30,491	77,250	39
40	4210-010-000-00	Board / Committee Expenses	-	0.00%	40	545	727	748	40
41	4211-010-000-00	Meals & Entertainment	-	0.00%	41	1,072	1,429	1,472	41
42	4212-010-000-00	Meetings/Seminars/Events	-	0.00%	42	230	307	316	42
43	4213-010-000-00	Apparel/Merchandise	-	0.00%	43	18,495	18,495	2,500	43
44	4214-010-045-09	Moving Expense - Lucius Road	-	0.00%	44	1,646	1,646	-	44
45	4215-010-000-00	Relocation - Employee Expense	-	0.00%	45	4,100	4,100	-	45
46	4219-010-000-00	Admin-Miscellaneous:	1,545	0.01%	46	5,964	7,952	8,191	46
47	4305-010-000-00	Contractor-Fixed Route:	6,513,858	25.10%	47	4,628,547	6,157,143	8,586,518	A 47
48	4306-010-000-00	Contractor-DART	1,288,726	4.97%	48	1,001,438	1,338,383	1,536,379	A 48
49	4307-010-000-00	Contractor - Santee Wateree RTA	-	0.00%	49	7,556	10,075	368,308	49
50	4308-010-000-00	Contractor-Contract Services	-	0.00%	50	-	-	-	50
51	4321-010-000-00	Vehicle Fuel	1,321,327	5.09%	51	839,057	1,118,743	2,092,836	51
52	4341-010-000-00	Insurance - Vehicle:	35,142	0.14%	52	25,423	33,897	34,914	52
53	4342-010-000-00	Insurance - Facilities	16,995	0.07%	53	9,503	12,671	13,051	53
54	4343-010-000-00	Insurance-Tort Liability:	11,124	0.04%	54	5,377	7,169	7,384	54
55	4344-010-000-00	Insurance-Officers & Directors:	3,863	0.01%	55	3,325	4,433	4,566	55
56	4361-010-000-00	Profession & Technical /Legal	330,000	1.27%	56	287,142	382,856	300,000	56
57	4363-010-045-09	Engineering & Design - Lucius Road	-	0.00%	57	76,171	76,171	-	57
58	4365-010-000-00	Custodial Services	65,001	0.25%	58	45,866	61,155	5,096	58
59	4366-010-000-00	Security Services:	98,365	0.38%	59	84,573	112,764	9,397	59
60	4367-010-000-00	Fare Collection Svces/Supplies:	38,750	0.15%	60	41,576	55,435	57,098	60
61	4368-010-000-00	Tickets & Transfers:	40,000	0.15%	61	2,341	3,121	3,215	61
62	4369-010-000-00	Other Services:	43,244	0.17%	62	28,340	37,787	38,920	62

63	4370-010-096-09	Facility Renovations - ARRA	305,347	1.18%	63	54,435	72,580	-	63
64	4381-010-000-00	Electricity	100,940	0.39%	64	69,888	93,184	95,980	64
65	4382-010-000-00	Water & Sewer	10,043	0.04%	65	4,310	5,747	5,919	65
66	4383-010-000-00	Telephone	41,715	0.16%	66	37,118	49,491	50,975	66
67	4384-010-000-00	Natural Gas	7,468	0.03%	67	6,625	8,833	9,098	67
68	4385-010-000-00	Mobile Telephone	-	0.00%	68	2,524	3,694	3,805	68
69	4387-010-000-00	Vehicle Repairs & Maintenance	614,936 ¹⁴	2.37%	69	113,272	151,029	400,000	69
70	4388-010-096-09	Rehab & Rebuild Vehicle - ARRA	-	0.00%	70	114,794	120,000	141,711	70
71	4401-010-000-00	Taxes & Fees:	8,240	0.03%	71	3,219	4,292	4,421	71
72	4402-010-000-00	Banking Fees	-	0.00%	72	7,062	9,416	9,698	72
73	4510-010-000-00	Software & Equipment	-	0.00%	73	119,614	159,485	164,270	73
74	4501-010-210-09	Office Equipment & Furniture:General-Capital	-	0.00%	74	9,679	12,905	13,292	74
75	4502-010-000-00	Office Equipment < \$1,500	-	0.00%	75	884	1,179	1,214	75
76	4505-010-000-00	Vehicles & Equipment:	-	0.00%	76	82,893	110,524	113,840	76
77	4512-010-000-00	Software & Equipment Maintenance	63,592	0.25%	77	31,882	42,509	43,785	77
78	4515-010-000-00	Office Equipment-Lease/Rental	12,360	0.05%	78	6,178	8,237	8,484	78
79	4600-010-000-00	In Kind Expense	60,000	0.23%	79	-	60,000	60,000	79
80	4999-010-000-00	Miscellaneous	11,236 ⁵	0.04%	80	-	-	12,000	80
81	4602-010-000-00	Cost of Securing Loan	-	0.00%	81	6,500	6,500	-	81
82	4603-010-00-00	Interest Expense on Short Term Loan	-	0.00%	82	19,050	19,050	-	82
83	4700-010-000-00	Depreciation Expense	2,163,447 ²	8.34%	83	860,946	1,137,306	1,500,000	83
84	4601-010-000-00	Refunds to City & Richland County	2,811,667 ^{7/16}	10.83%	84	363,085	726,170	1,452,340	84
85	Total Expenses		<u>17,324,033</u> ⁷	<u>66.75%</u>	85	<u>9,872,330</u>	<u>13,425,308</u>	<u>18,330,131</u>	85
86	Net Income (Loss) Before Reserves		8,629,787 ¹	33.25%	86	4,599,876	5,309,876	2,006,634	86
87	Operating Reserve Funding		(4,837,455) ⁷	-18.64%	87	-	(2,000,000)	(1,358,558)	B 87
88	Capital Reserve Funding		(1,500,000) ⁸	-5.78%	88	-	-	(577,022)	C 88
89	Net Income (Loss)		<u>2,292,332</u> ¹⁵	<u>8.83%</u>	89	<u>4,599,876</u>	<u>3,309,876</u>	<u>71,054</u>	89

FYE 6/30/14 Notes:

Note 1: Cash of \$6,000,000 from contemplated federal grant is expected to used to acquire new fleet additions.

Note 2: The FYE 6/30/14 budget includes depreciation funding.

Note 3: The amount earned for May and June 2013 from the 1% Sales Tax is expected to be collected in August 2013. This amount is estimated to approximate \$2.7 million. The amount to be earned for the quarter ending 6/30/14 is expected to be collected in August 2014. This amount is estimated to approximate \$3.9 million.

Note 4: The FYE 6/30/14 budget does not include the cost of additional contemplated service effective 4/1/2014.

Note 5: FYE 6/30/14 budget includes \$10,000 for Santee-Wateree operations support. Added to Miscellaneous Expense.

Note 6: FYE 6/30/14 budget includes USC football game revenue of \$42,000 in Farebox Revenue as well as \$48,710 in expense (\$33,310 in VEOLIA Fixed Route cost, \$2,600 in VEOLIA DART Route cost, and \$12,800 in Vehicle Fuel).

Note 7: The Operating Reserve Funding is based on four months of total expenses before reserves, less expense for refunds to City & Richland County.

Note 8: The Capital Reserve Funding is based on 20% match on federal fleet procurement grant.

Note 9: Salaries includes \$410,000 for additional staffing in FYE 6/30/14 budget. Salaries also includes \$20,624 for Mobility grant match for FYE 6/30/14.

Note 10: Fringe benefits includes \$221,195 for additional staffing for FYE 6/30/14.

Note 11: Projected PM & DART Grant Revenue includes \$1,600,000 for PM and \$387,518 for DART for FYE 6/30/14.

Note 12: Cost of additional service added 5/13/13 is \$1,219,446 for FYE 6/30/14. Of this amount, \$902,390 is included in VEOLIA Fixed Route Cost and \$317,056 is included in Vehicle Fuel.

Note 13: Cost of additional service to be added 10/1/13 is \$230,490. Of this amount, \$170,563 is included in VEOLIA Fixed Route cost and \$59,927 is included in Vehicle Fuel.

Note 14: A/C #4387 includes \$496,880 in 20% Preventative Maintenance expense match of federal grant revenue for FYE 6/30/14 budget.

Note 15: Cash flow will not correspond with net income due to the timing of various revenues earned and expenses incurred vs when these items are received or paid.

Note 16: As of the date of the preparation of this budget, this line item is in negotiation between CMRTA and the Funding Partners. The actual amount could be more or less than the amount show above. Further, the amount may ultimately be obligated or incurred in a fiscal year other than the year in which this item appears above.

Note 17: Includes \$41,146 for the cost for VEOLIA-provided Route Scout services.

FYE 6/30/15 Notes:

Note A: This amount is based on current level of service based on cost proposal from Proposer #2. This amount includes start up costs of \$671,472 as specified in the proposer's negotiated cost proposal. All start up costs have been shown on Fixed Route line for this budget. This amount also includes a 115 hour per day service increase effective 8/15/14.

Note B: The board had wanted to set aside 4/12ths of the annual expense budget reduced by the City/County refunding. At this All In Amount this line item would be approximately \$4.8MM. There is not enough current year surplus to fully fund the reserve at this level. Accordingly, the funding reserve has been set at an amount approximating projected net income. This reserve is calculated and funded on a cumulative basis.

Note C: Includes Fleet additions totaling \$1,350,000 at 83/17 match

Note D: Includes \$85k from USC

Note E: Includes shelters and telephones as well as additional improvements at Headquarters.

Richland County Council Request of Action

Subject

An Ordinance Amending the Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges; Section 21-20, Road Paving Program; so as to add the Transportation Director and amend other language therein [**PAGES 48-54**]

Notes

First Reading: June 17, 2014

Second Reading: July 1, 2014

Third Reading:

Public Hearing: July 29, 2014 [Tentative]

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-14HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES; SECTION 21-20, ROAD PAVING PROGRAM; SO AS TO ADD THE TRANSPORTATION DIRECTOR AND AMEND OTHER LANGUAGE THEREIN.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Section 21-3, Definitions; is hereby amended to add the following definition as subsection (k) and all remaining subsections shall be re-lettered in appropriate chronological order:

(k) *Through road.* A road that connects two different paved roads.

SECTION II. The Richland County Code of Ordinances; Chapter 21, Roads, Highways and Bridges; Section 21-20, Road paving program; is hereby amended to read as follows:

Sec. 21-20. Road paving program.

(a) Road construction and paving projects administered by the county and funded from public funds shall be accomplished in accordance with a consistent, systematic program established and administered by the Director of ~~public works~~ Transportation, in conjunction with and with the support of the Director of Public Works, or his/her designee. Such program shall have the following basic characteristics:

- (1) Only county maintained roads with recorded Easement and Right-of-Way Deeds will be paved utilizing public funds,
- (2) All county maintained dirt roads are eligible for paving, and
- (3) Paving will be accomplished in priority order at a rate permitted by availability of funding.

(b) The county engineer, or his/her designee, will acquire and maintain the following data on all roads proposed for paving:

- (1) Name;
- (2) County road number;

- (3) Map location code;
- (4) Beginning and ending points;
- (5) Length in miles and hundredths of a mile; and
- (6) Council district.

(c) In addition, the following data pertaining to the roads priority for paving will be obtained and recorded for each road:

- (1) Number of homes accessed from the road;
- (2) Number of businesses accessed from the road;
- (3) Number of churches accessed from the road; ~~and~~
- (4) Maintenance difficulty factor; and

(5) "Through road" factor.

For the purpose of determining the number of homes, business and churches accessed from a road, only those on parcels with no existing paved road frontage will be counted except when the distance from the paved road to the building exceeds 1,320 feet.

(d) Roads will be prioritized in accordance with the following procedure:

A road's priority for paving will be established by the ~~number of points accredited to it as described below divided by it's length, with the highest total of points per mile constituting the highest priority~~ lowest cost per occupant, church, or business. ~~The points per mile (P)~~ Lowest cost per occupant (P) is calculated by the formula:

$$P = \frac{H+B+C+T+M}{L} \times \frac{\text{Cost}}{H+B+C+T} \quad \text{Where:}$$

H = Number of points accredited for homes.

One point is accredited for each home accessed from the road. This will include mobile homes as well as permanent homes. It should be noted that the number of homes on a road is an indicator of the number of people using it as well as the importance of the road as a possible school bus route.

B = Number of points accredited for businesses.

Two points are accredited for each business accessed from the road. To be eligible for these points, a business must occupy a building separate from any residence and rely on the road for either customer traffic or routine use by company vehicles.

C = Number of points accredited for churches.

Two points are accredited for each church accessed from the road.

~~T = Number of points accredited for a through road.~~

~~Five points are accredited if the road is a through road connecting two different paved roads. It should be noted that a through road has the potential for people other than the residents to use it and it is also more likely to be utilized as a school bus route.~~

~~T = Through road factor. If the road is a through road, two points are accredited to T. If the road is not a through road, zero points are accredited to T.~~

~~M = Number of points accredited for difficult maintenance.~~

~~From 0 to 10 points may be accredited to a road based on the difficulty on maintaining it in serviceable condition as determined through consultation with the roads and drainage manager.~~

L = Length of the road in miles and hundredths.

~~Cost = Estimated Cost (\$800,000 per mile x L).~~

(e) A road's paving may be given top priority provided that all costs incurred by the county to pave it are paid by its adjacent property owners. Such costs may be included as an assessment on the tax bill of the property owners, to be paid over no more than a fifteen (15) year period with an interest charge equal to that paid by the county for bonds issued to fund construction. The county council may elect to have the total costs, plus interest, of the improvements allocated between the property owners either by a front footage assessment ratio, or by each lot being assessed an equal share of the costs and interest. Establishment of this assessment shall require approval of eighty percent (80%) of the property owners.

(f) Highways, streets or roads constructed or paved under the county's jurisdiction and maintained by the county shall meet the design and construction standards contained in section 21-6, above.

(g) The ~~d~~Director of ~~public works~~ Transportation or his/her designee, in conjunction with and with the support of the county engineer, or his/her designee, shall, ~~within the best judgment of the engineering staff,~~ establish appropriate alternate design

and construction standards for low volume rural roads as a means of ensuring maximum cost effectiveness of road paving funds.

(h) Road paving funds will be distributed by county council district based on that district's portion of total county dirt road mileage. Pro rata fund distribution will be calculated as follows:

$$\text{District dirt road paving funds} = \text{Total dirt road paving funds} \times \frac{\text{district dirt road mileage}}{\text{Total dirt road mileage}}$$

Mileage refers to dirt road mileage in the county road maintenance system (i.e. public dirt roads that are routinely maintained by county public works forces). Roads will be selected for paving based on distribution/availability of funds and priority within that council district, as determined by the uniform road rating system contained in this section.

(i) The Alternative Maintenance Paving Program shall consist of two categories, Pave-In-Place and Alternative Surface Treatment, which are defined as follows:

- (1) The Pave-In-Place Program shall allow for the placement of hot mix asphalt on low volume/light duty dirt roads that meet the following criteria:
 - a) The road must be within a publicly dedicated right-of-way of a minimum width of 50 feet. A right-of-way width of no less than 30 feet may be considered if in the judgment of the Director of Public Works a safe roadway with adequate drainage may be constructed.
 - b) The road base may be reinforced by the use of Portland cement stabilization of the in-place materials or other stabilization products determined by the Director of Public Works to be equal or better.
 - c) The road to be improved shall not interconnect existing streets or serve developable vacant land that would result in the potential of exceeding 400 vehicles per day. The road shall not serve existing businesses or vacant land zoned for business uses that would generate traffic exceeding 400 vehicles per day or truck traffic exceeding 24 vehicles per day.
 - d) Roads improved under this [ordinance section](#) may conform to AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (2001) for horizontal and vertical alignment if determined by the Director of Public Works to be appropriate for the local situation.
 - e) Roadway bases reinforced by the above method shall be overlaid with 1½ inches of hot mix asphalt surface course. The paved surface width shall be no less than 22 feet. A pavement width of no less than 18 feet

may be considered if in the judgment of the Director of Public Works a safe roadway with adequate drainage may be constructed.

- (2) Alternative Surface Treatment allows for the placement of materials other than asphalt as the travel surface for road ways. Types of Alternative Surface Treatment may include:
 - a) Triple Treatment Surface Course;
 - b) Rubberized Asphalt;
 - c) Milled Asphalt.
- (3) Roads in the Alternative Maintenance Paving Program may be improved by geographical location in lieu of the priority list referenced in the aforementioned section of this ordinance to reduce mobilization cost. The decision shall be at the discretion of the Director of ~~Public Works~~ Transportation.
- (4) In order to incorporate community input before roads are paved, notice shall be sent by the Department of ~~Public Works~~ Transportation, or its designee, by mail requiring a return receipt to the last known address of all abutting property owners whose property would be affected by any such change. Each such owner shall have thirty (30) days to respond. If twenty-five (25%) percent or more of all such property owners decline said road paving, then the subject road shall not be paved.
- ~~(5) The Road Transportation Commission shall act as a facilitator to the Alternative Maintenance Paving Program. The Commission shall notify and communicate with residents whose roads have been determined to qualify for the Program. Additionally, the Commission shall work with the Department of Public Works to assist in the acquisition of necessary rights-of-way on projects undertaken pursuant to this section.~~

SECTION III. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION IV. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2014.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chairperson

ATTEST THIS THE ____ DAY
OF _____, 2014.

S Monique McDaniels
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: June 17, 2014
Second Reading: July 1, 2014 (tentative)
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

An Ordinance Authorizing the issuance and sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2014B, or such other appropriate series designation, of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto **[PAGES 55-82]**

Notes

June 24, 2014 - The Committee recommended that Council approve the capital project list as recommended by Staff, along with additional funding of the Columbia Area Mental Health facility up to \$50,000. The \$50,000 would be provided as match money only if the State agrees to fund the rest of the project, which would complete the facility.

First Reading: July 1, 2014

Second Reading: July 15, 2014

Third Reading:

Public Hearing: July 29, 2014

Richland County Council Request of Action

Subject: Bond Issuance – Capital Project List

A. Purpose

County Council is requested to approve the attached capital project list in conjunction with the bond ordinance for approximately \$25,000,000 as presented at the planning retreat to Council members by the County Administrator.

B. Background / Discussion

During the Council retreat in January 2014, the County Administrator provided Council with information about his capital needs assessment for County facilities. The recommendation included a planned bond issue for \$25,000,000 in the Fall of 2014.

During the discussion it was mentioned that the current bond market has shown very favorable rates, but can be volatile. Estimates are that if the County issues the same \$25,000,000 now to take advantage of these low rates the County could save the taxpayer more than \$3,000,000 on the total cost over the life of this loan. Council expressed an interest in pursuing the favorable interest rates and requested that the bond ordinance be included in the Council agenda after the budget process.

The County Administrator presented the above funding plan in order to address the most pressing capital needs based on his assessment. The assessment was the culmination of several months of reviewing and assessing the department's request as provided through the Capital Improvement Plan (CIP). The Administrator's recommended capital project list is attached for discussion.

C. Legislative / Chronological History

This is a Staff initiated request; therefore, there is no legislative history.

D. Financial Impact

There is no financial impact based on the approval of the capital project list. The financial impact of the bond issue cannot be determined until the bonds are issued; however, the preliminary analysis suggests the bond repayment could be absorbed within the current County debt service millage rate.

E. Alternatives

1. Approve the capital project list as recommended.
2. Approve an amended capital project list.
3. Defer the approval of the capital project list until a later time.
4. Do not approve a capital project list or associated bond ordinance at this time and not move forward.

F. Recommendation

It is recommended that Council approve Alternative 1 with a bond ordinance.

Recommended by: County Administration Department: County Administration Date: 6/3/14

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 6/13/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 6/19/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion.

Administration

Reviewed by: Tony McDonald

Date: 6/20/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as outlined in the attached list. The following points should be considered:

1. Of the \$25 million available to bond, we are recommending that only \$21.5 million be bonded at this time.
2. If the lesser amount is selected for moving forward, the debt will be structured to keep the debt service flat so that there will be no change in the millage.
3. The Council may elect to proceed with the full \$25 million issue, in which case a list of unfunded requests is included from which the Council may select additional projects.
4. In order to meet the Council’s directive with respect to the funding of the recreation projects, which included Hospitality Tax funds and others sources of funds that may be needed to make up the balance, a total of \$5 million has been earmarked in the proposed capital bond for this purpose.

Attachment - Capital Project List

Target Debt available \$25.0m

A. Capital Projects – Considered Current Commitments

Sheriff Vehicle Replacement	\$2.0m	
Sheriff Equipment	\$700k	
Public Safety Facility	\$1.6m	
EMS Vehicle Replacement	\$2.0m	
Facility Program (flooring)	\$700k	
Restore from current year redirect (EOC \$3m, Detention Center \$4m)	\$ 7.0m	
Commitment to Destination Parks (FY15 Budget)	<u>\$ 5.0m</u>	
Current Commitment sub-total		\$ 19.0m

B. Administrator's Recommended

Increase of Sheriff Vehicle Replacement	\$500k	
Increase of Facility Program (flooring)	\$300k	
Addition of F&G roof replacement plan	\$600k	
Township Parking Lot	\$250k	
Addition of F&G HVAC replacement plan	\$400k	
Addition of Technology replacement plan	<u>\$400k</u>	
Administrator's Recommendation sub-total		<u>\$2.5m</u>
Unissued amount		\$3.5m

Capital Projects – Additional Request for Future consideration

Voter Registration/Election Commission	amount undetermined
Treasurer Department – satellite office	amount undetermined
CASA/Fostering Futures \$700k annual operating costs	\$2m
Sheriff Department – Airport Hanger/Complex	amount undetermined
Sheriff Facility (\$66M requested in 2016)	\$9m
Sheriff Airplane Replacement	\$1m
Emergency Services New HQ	\$2m
EMS – Downtown Station	\$5m
F&G – Facility Renovations	\$3m
Fire – 7 new stations requested	<u>\$22m</u>

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$35,000,000 GENERAL OBLIGATION BONDS, SERIES 2014B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; DELEGATING TO THE COUNTY ADMINISTRATOR CERTAIN AUTHORITY RELATED TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION 1. Findings and Determinations. The County Council (the "County Council") of Richland County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Section 4-9-10, Code of Laws of South Carolina 1976, as amended, the County operates under the Council-Administrator form of government and the County Council constitutes the governing body of the County.

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that each county shall have the power to incur bonded indebtedness in such manner and upon such terms and conditions as the General Assembly shall prescribe by general law. Such debt must be incurred for a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property of such county.

(c) Pursuant to Title 4, Chapter 15 of the Code (the same being and hereinafter referred to as the "County Bond Act"), the governing bodies of the several counties of the State may each issue general obligation bonds to defray the cost of any authorized purpose and for any amount not exceeding their applicable constitutional limit.

(d) The County Bond Act provides that as a condition precedent to the issuance of bonds an election be held and the result be favorable thereto. Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended, provides that if an election be prescribed by the provisions of the County Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the County Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

(e) The assessed value of all the taxable property in the County as of June 30, 2013, for purposes of computation of the County's constitutional debt limit, is \$1,524,590,417. Eight percent of such sum is \$121,967,233. As of the date hereof, the outstanding general obligation debt of the County subject to the limitation imposed by Article X, Section 14(7) of the Constitution is \$51,710,000. Thus, the County may incur not exceeding \$70,257,233 of additional general obligation debt within its applicable debt limitation.

(f) It is now in the best interest of the County for the County Council to provide for the issuance and sale of not exceeding \$35,000,000 general obligation bonds of the County pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, the proceeds of which will be used to provide funds for: (i) defraying the costs of capital projects, including but not limited to constructing, renovating and repairing County facilities and funding the purchase of fiscal year 2014-2015 equipment and public safety vehicles (the "Projects"); (ii) paying costs of issuance of the bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

(g) Pursuant to Ordinance No. 067-12HR enacted by County Council on November 13, 2012, the County adopted Written Procedures related to Tax-Exempt Debt.

SECTION 2. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding \$35,000,000 aggregate principal amount of general obligation bonds of the County to be designated "Not exceeding \$35,000,000 (or such other amount as may be issued) General Obligation Bonds, Series 2014B, of Richland County, South Carolina" (the "Bonds") for the purpose stated in Section 1(f) of this Ordinance.

The Bonds shall be issued as fully registered Bonds registerable as to principal and interest; shall be dated as of the first day of the month in which they are delivered to the initial purchaser(s) thereof; shall be in denominations of \$5,000 or any integral multiple thereof not exceeding principal amount of Bonds maturing each year; shall be numbered from R-1 upward, respectively; shall bear interest from their date payable at such times as hereafter designated by the Administrator of the County (the "Administrator") at such rate or rates as may be determined by the County Council at the time of sale thereof; and shall mature serially in successive annual installments as determined by the Administrator.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 3. Delegation of Authority Relating to the Bonds. The County Council hereby delegates to the Administrator or his lawfully-authorized designee the authority: (a) to determine the par amount of the bonds; (b) to determine maturity dates of the Bonds and the respective principal amounts maturing on such dates; (c) to determine the interest payment dates of the Bonds; (d) to determine redemption provisions, if any, for the Bonds; (e) the date and time of sale of the Bonds; (f) to receive bids on behalf of the County Council; and (g) to award the sale of the Bonds to the lowest bidder therefor in accordance with the terms of the Notice of Sale for the Bonds.

After the sale of the Bonds, the Administrator or his lawfully-authorized designee shall submit a written report to the County Council setting forth the results of the sale of the Bonds.

SECTION 4. Registration, Transfer and Exchange of Bonds. The County shall cause books (herein referred to as the "registry books") to be kept at the offices of the Registrar/Paying Agent, for the registration and transfer of the Bonds. Upon presentation at its office for such purpose the Registrar/Paying Agent shall register or transfer, or cause to be registered or transferred, on such registry books, the Bonds under such reasonable regulations as the Registrar/Paying Agent may prescribe.

Each Bond shall be transferable only upon the registry books of the County, which shall be kept for such purpose at the principal office of the Registrar/Paying Agent, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar/Paying Agent duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond the Registrar/Paying Agent on behalf of the County shall

issue in the name of the transferee a new fully-registered Bond or Bonds, of the same aggregate principal amount, interest rate and maturity as the surrendered Bond. Any Bond surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar/Paying Agent.

The County and the Registrar/Paying Agent may deem or treat the person in whose name any fully-registered Bond shall be registered upon the registry books as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond and for all other purposes and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Registrar/Paying Agent shall be affected by any notice to the contrary. For every such transfer of Bonds, the County or the Registrar/Paying Agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such transfer, and, except as otherwise provided herein, may charge a sum sufficient to pay the cost of preparing each Bond issued upon such transfer, which sum or sums shall be paid by the person requesting such transfer or by the County as a condition precedent to the exercise of the privilege of making such transfer. Neither the County nor the Registrar/Paying Agent shall be obliged to make any such transfer of Bonds during the fifteen (15) days preceding an interest payment date on such Bonds.

SECTION 5. Record Date. The County hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds, and such record date shall be the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date on such Bond or in the case of any proposed redemption of Bonds, such record date shall be the fifteenth (15th) day prior to the giving of notice of redemption of bonds.

SECTION 6. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the County shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a new Bond of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond, or in lieu of or in substitution for such lost, stolen or destroyed Bond. In any such event the applicant for the issuance of a substitute Bond shall furnish the County and the Registrar evidence or proof satisfactory to the County and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond, and of the ownership thereof, and also such security and indemnity in an amount as may be required by the laws of the State of South Carolina or such greater amount as may be required by the County and the Registrar. Any duplicate Bond issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or in substitution for any allegedly lost, stolen or wholly destroyed Bond shall be entitled to the identical benefits under this Ordinance as was the original Bond in lieu of which such duplicate Bond is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds of the same series issued hereunder.

All expenses necessary for the providing of any duplicate Bond shall be borne by the applicant therefor.

SECTION 7. Execution of Bonds. The Bonds shall be executed in the name of the County with the manual or facsimile signature of the Chair of the County Council attested by the manual or facsimile signature of the Clerk of the County Council under a facsimile of the seal of the County impressed, imprinted or reproduced thereon; provided, however, the facsimile signatures appearing on the Bonds may be those of the officers who are in office on the date of adoption of this Ordinance. The execution of the Bonds in such fashion shall be valid and effectual, notwithstanding any subsequent change in such offices. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed

thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 8. Form of Bonds. The Bonds shall be in substantially the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 9. Security for Bonds. The full faith, credit, and taxing power of the county is irrevocably pledged to the payment of the Bonds. The Bonds are payable from an ad valorem tax levied annually by the County Auditor and collected by the County Treasurer.

The Council shall give the County Auditor and the County Treasurer written notice of the delivery of and payment for the Bonds and they are hereby directed to levy and collect annually, on all taxable property in the County, an ad valorem tax sufficient to pay the principal and interest of the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 10. Notice of Initiative and Referendum. The County Council hereby delegates to the Administrator the authority to determine whether the Notice prescribed under the provisions of Title 11, Chapter 27, relating to the Initiative and Referendum provisions contained in Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, shall be given with respect to this Ordinance, such notice being in substantially the form attached hereto as Exhibit B. If such notice is given, the Administrator is authorized to cause such notice to be published in a newspaper of general circulation in the County.

SECTION 11. Defeasance. The obligations of the County under this Ordinance and the pledges, covenants and agreements of the County herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds, and such Bond or Bonds shall no longer be deemed to be outstanding hereunder when:

(a) Such Bond or Bonds shall have been purchased by the County and surrendered to the County for cancellation or otherwise surrendered to the County or the Paying Agent and is canceled or subject to cancellation by the County or the Paying Agent; or

(b) Payment of the principal of and interest on such Bonds either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee in trust and irrevocably set aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bonds shall no longer be deemed to be outstanding hereunder, such Bonds shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean any of the following:

- (a) direct obligations of the United States of America or agencies thereof or obligations, the payment of principal or interest on which, in the opinion of the Attorney General of the United States, is fully and unconditionally guaranteed by the United States of America;
- (b) non-callable, U. S. Treasury Securities - State and Local Government Series (“SLGS”);

- (c) general obligation bonds of the State, its institutions, agencies, school districts and political subdivisions; and
- (d) a defeasance obligation as defined in Section 6-5-10 of the S.C. Code as such as may be amended from time to time.

(c) Such Bond or Bonds shall be defeased as provided in Section 11-14-110 of the S.C. Code as such may be amended from time to time.

SECTION 12. Exemption from State Taxes. Both the principal of and interest on the Bonds shall be exempt, in accordance with the provisions of Section 12-2-50 of the Code, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 13. Eligible Securities. The Bonds initially issued (the “Initial Bonds”) will be eligible securities for the purposes of the book-entry system of transfer maintained by The Depository Trust Company, New York, New York (“DTC”), and transfers of beneficial ownership of the Initial Bonds shall be made only through DTC and its participants in accordance with rules specified by DTC. Such beneficial ownership must be of \$5,000 principal amount of Bonds of the same maturity or any integral multiple of \$5,000.

The Initial Bonds shall be issued in fully-registered form, one Bond for each of the maturities of the Bonds, in the name of Cede & Co., as the nominee of DTC. When any principal of or interest on the Initial Bonds becomes due, the Paying Agent, on behalf of the County, shall transmit to DTC an amount equal to such installment of principal and interest. DTC shall remit such payments to the beneficial owners of the Bonds or their nominees in accordance with its rules and regulations.

Notices of redemption of the Initial Bonds or any portion thereof shall be sent to DTC in accordance with the provisions of the Ordinance.

If (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the County has advised DTC of its determination that DTC is incapable of discharging its duties, the County shall attempt to retain another qualified securities depository to replace DTC. Upon receipt by the County the Initial Bonds together with an assignment duly executed by DTC, the County shall execute and deliver to the successor securities depository Bonds of the same principal amount, interest rate and maturity registered in the name of such successor.

If the County is unable to retain a qualified successor to DTC or the County has determined that it is in its best interest not to continue the book-entry system of transfer or that interests of the beneficial owners of the Bonds might be adversely affected if the book-entry system of transfer is continued (the County undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify beneficial owners of the Bonds by mailing an appropriate notice to DTC, upon receipt by the County of the Initial Bonds together with an assignment duly executed by DTC, the County shall execute, authenticate and deliver to the DTC participants Bonds in fully-registered form, in substantially the form set forth in Section 2 of this Ordinance in the denomination of \$5,000 or any integral multiple thereof.

Notwithstanding the foregoing, at the request of the purchaser, the Bonds will be issued as one single fully-registered bond and not issued through the book-entry system.

SECTION 14. Sale of Bonds, Form of Notice of Sale. The Bonds shall be sold at public sale. A Notice of Sale in substantially the form attached hereto as Exhibit C and incorporated herein by reference shall be distributed to prospective bidders and a summary of such Notice of Sale shall be published in a newspaper having general circulation in the State of South Carolina or in a financial publication published in the City of New York, State of New York, or both, not less than seven (7) days prior to the date set for such sale.

SECTION 15. Preliminary and Final Official Statement. The County Council hereby authorizes and directs the Administrator to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds together with the Notice of Sale. The County Council authorizes the Administrator to designate the Preliminary Official Statement as “near final” for purposes of Rule 15c2-12 of the Securities Exchange Commission. The Administrator is further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser of the Bonds.

SECTION 16. Filings with Central Repository. In compliance with Section 11-1-85, South Carolina Code of Laws 1976, as amended, the County covenants that it will file or cause to be filed with a central repository for availability in the secondary bond market when requested: (a) a copy of an annual independent audit of the County within thirty (30) days of the County's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, event specific information of an event which adversely affects more than five (5%) percent of the tax revenues of the County or the County's tax base.

SECTION 17. Continuing Disclosure. In compliance with the Securities and Exchange Commission Rule 15c2-12 (the “Rule”) the County covenants and agrees for the benefit of the holders from time to time of the Bonds to execute and deliver prior to closing, and to thereafter comply with the terms of a Disclosure Dissemination Agent Agreement in substantially the form appearing as Exhibit D to this Ordinance. In the event of a failure of the County to comply with any of the provisions of the Disclosure Dissemination Agent Agreement, an event of default under this Ordinance shall not be deemed to have occurred. In such event, the sole remedy of any bondholder or beneficial owner shall be an action to compel performance by the Ordinance.

SECTION 18. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds shall be deposited with the Treasurer of the County in a special fund to the credit of the County, separate and distinct from all other funds, and shall be expended from time to time and made use of by the County Council as follows:

(a) Any premium shall be placed in the sinking fund established pursuant to Section 4-15-150 of the Code; and

(b) The balance of the proceeds shall be applied for the purposes set forth in this Ordinance including defraying the costs and expenses of issuing the Bonds.

SECTION 19. Notice of Public Hearing. The County Council hereby ratifies and approves the publication of a notice of public hearing regarding the Bonds and this Ordinance, such notice in substantially the form attached hereto as Exhibit E, having been published in *The State*, a newspaper of general circulation in the County, not less than 15 days prior to the date of such public hearing.

SECTION 20. Reimbursement of Certain Expenditures. The County Council hereby declares that this Ordinance shall constitute its declaration of official intent pursuant to Treasury Regulation § 1.150-2 to reimburse the School District from the proceeds of the Bonds for expenditures with respect to the Project (the “Expenditures”). The County anticipates incurring Expenditures with respect to the

capital improvements prior to the issuance by the County of the Bonds for such purposes. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures. The Expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one (1) year. The source of funds for the Expenditures with respect to the Project will be the County's general reserve funds or other legally-available funds.

SECTION 21. Tax Covenants. The County hereby covenants and agrees with the Holders of the Bonds that it will not take any action which will, or fail to take any action which failure will, cause interest on the Bonds to become includable in the gross income of the Bondholders for federal income tax purposes pursuant to the provisions of the IRC and regulations promulgated thereunder in effect on the date of original issuance of the Bonds. The County further covenants and agrees with the holders of the Bonds that no use of the proceeds of the Bonds shall be made which, if such use had been reasonably expected on the date of issue of the Bonds would have caused the Bonds to be "arbitrage bonds," as defined in Section 148 of the IRC, and to that end the County hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Bonds are outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the IRC.

SECTION 22. Miscellaneous. The County Council hereby authorizes any one or more of the following officials to execute such documents and instruments as necessary to effect the issuance of the Bonds: Chair of the County Council, County Administrator, Clerk to the County Council and County Attorney. The County Council hereby retains McNair Law Firm, P.A. and The Law Office of Ernest W. Cromartie III, LLC, as co-bond counsel and Southwest Securities Inc., as financial advisor in connection with the issuance of the Bonds. Co-disclosure counsel for the Bonds will be designated by the County Attorney. The County Administrator is authorized to execute such contracts, documents or engagement letters as may be necessary and appropriate to effectuate these engagements.

All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

[Signature Page to Follow]

Enacted this ____ day of July, 2014.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Norman Jackson, Chair
Richland County Council

(SEAL)

ATTEST THIS _____ DAY OF
_____, 2014:

Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Date of First Reading: July 1, 2014
Date of Second Reading: July 15, 2014
Date of Public Hearing: July 15, 2014
Date of Third Reading:

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
GENERAL OBLIGATION BONDS, SERIES 2014B

No. R-

<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>	<u>ORIGINAL</u> <u>ISSUE DATE</u>	<u>CUSIP</u>
--------------------------------	--------------------------------	--------------------------------------	--------------

REGISTERED HOLDER: CEDE & CO.

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that Richland County, South Carolina (the "County"), is justly indebted and, for value received, hereby promises to pay to the registered holder specified above, or registered assigns, the principal amount specified above on the maturity date specified above, upon presentation and surrender of this Bond at the principal office of _____, in the City of _____, State of _____ (the "Paying Agent"), and to pay interest on such principal amount from the date hereof at the rate per annum specified above until this Bond matures. Interest on this Bond is payable semiannually on _____ and _____ of each year, commencing _____, until this Bond matures, and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the County maintained by the registrar, presently _____, in _____, _____ (the "Registrar"), at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal of and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts; provided, however, that interest on this fully-registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (hereafter defined), nor become valid or obligatory for any purpose, until the certificate of authentication hereon shall have been duly executed by the Registrar.

For the payment hereof, both principal and interest, as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the County are irrevocably pledged and there shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as they respectively mature and to create such sinking fund as may be necessary therefore.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, and rate of interest, aggregating _____ Dollars (\$ _____), issued pursuant to and in accordance with the Constitution

and laws of the State of South Carolina, including Article X of the Constitution of the State of South Carolina, 1895, as amended; Title 4, Chapter 15, Code of Laws of South Carolina 1976, as amended; Title 11, Chapter 27 of the Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted by the County Council on _____, 2014.

[Redemption Provisions]

This Bond is transferable as provided in the Ordinance, only upon the books of the County kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon a new fully-registered Bond or Bonds of the same aggregate principal amount, interest rate redemption provisions, if any, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The County, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina, this Bond and the interest hereon are exempt from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the County, does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection of a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on this Bond as the same shall respectively mature and to create such sinking fund as may be necessary therefor.

IN WITNESS WHEREOF, RICHLAND COUNTY, SOUTH CAROLINA, has caused this Bond to be signed with the facsimile signature of the Chair of the County Council, attested by the facsimile signature of the Clerk to the County Council and the seal of the County impressed, imprinted or reproduced hereon.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, County Council

(SEAL)
ATTEST:

Clerk, County Council

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This bond is one of the Bonds described in the within mentioned Ordinance of Richland County, South Carolina.

_____ as Registrar

By: _____ Authorized Officer

The following abbreviations, when used in the inscription on the face of this Bond shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM - As tenants in common

UNIF GIFT MIN. ACT

TEN ENT - As tenants by the entireties

_____ Custodian _____
(Cust.) (Minor)

JT TEN - As joint tenants with right of survivorship and not as tenants in common

under Uniform Gifts to Minors

(State)

Additional abbreviations may also be used though not in list above.

[FORM OF ASSIGNMENT]

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

_____ (Name and address of Transferee)

the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

Signature Guaranteed:

(Authorizing Officer)

Signature(s) must be guaranteed
by an institution which is a
participant in the Securities
Transfer Agents Medallion
Program (“STAMP”) or similar
program.

NOTICE: The signature to this
agreement must correspond with
the name of the registered holder as
it appears upon the face of the
within Bond in every particular,
without alteration or enlargement or any
change whatever.

Copies of the final approving opinions to be rendered shall be printed on the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the County with a facsimile signature of the Clerk to the County Council. The certificate shall be in substantially the following form:

[FORM OF CERTIFICATE]

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete final approving opinions (except for date and letterhead) of McNair Law Firm, P.A., Columbia, South Carolina, approving the issue of bonds of which the within bond is one, the original of which opinions were manually executed, dated and issued as of the date of delivery of and payment for the bonds and a copy of which is on file with the County Council of Richland County, South Carolina.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Clerk, County Council

FORM OF NOTICE

NOTICE IS HEREBY GIVEN that the County Council (the "County Council") of Richland County, South Carolina (the "County"), on _____, 2014, enacted Ordinance No. _____ entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$_____ GENERAL OBLIGATION BONDS, SERIES 2014B, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF RICHLAND COUNTY, SOUTH CAROLINA; FIXING THE FORM AND DETAILS OF THE BONDS; AUTHORIZING THE ADMINISTRATOR OF THE COUNTY TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO" (the "Ordinance"). The Ordinance authorizes the issuance and approves the sale of not to exceed \$35,000,000 General Obligation Bonds, Series 2014B (the "Bonds") of the County.

The proceeds of the Bonds will be used to provide funds for: (i) defraying the costs of capital projects, including but not limited to constructing, renovating and repairing County facilities and funding the purchase of fiscal year 2014-2015 equipment and public safety vehicles (the "Projects"); (ii) paying costs of issuance of the Bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

Pursuant to Section 11-27-40(8) of the Code of Laws of South Carolina, 1976, as amended, unless a notice, signed by not less than five (5) qualified electors of the County, of the intention to seek a referendum is filed both in the office of the Clerk of Court of the County and with the Clerk of the County Council, the initiative and referendum provisions of South Carolina law, Sections 4-9-1210 to 4-9-1230 of the Code of Laws of South Carolina, 1976, as amended, shall not be applicable to the Ordinance. The notice of intention to seek a referendum must be filed within twenty (20) days following the publication of this notice of the adoption of the aforesaid Ordinance in a newspaper of general circulation in Richland County.

/s/Chair, County Council, Richland County,
South Carolina

FORM OF NOTICE OF SALE

\$ _____ GENERAL OBLIGATION BONDS, SERIES 2014B
OF RICHLAND COUNTY, SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that sealed bids, facsimile bids and electronic bids will be received on behalf of Richland County, South Carolina (the "County") in the Administrative Conference Room, 4th Floor, 2020 Hampton Street, Columbia, South Carolina, until 11:00 a.m., South Carolina time, on _____, _____, 2014, at which time said proposals will be publicly opened for the purchase of \$ _____ General Obligation Bonds, Series 2014B, of the County (the "Bonds").

Sealed Bids: Each hand delivered proposal shall be enclosed in a sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2014B, Richland County, South Carolina" and should be directed to the County Administrator at the address in the first paragraph hereof.

Facsimile Bids: The County will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The County shall not be responsible for the confidentiality of bids submitted by facsimile transmission. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of J. Milton Pope, County Administrator, fax number (803) 576-2138.

Electronic Bids: Electronic proposals must be submitted through i-Deal's Ipreo Electronic Bid Submission System ("Ipreo"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Ipreo may be obtained from i-Deal, 40 W. 23rd Street, 5th floor, New York, New York 10010, Customer Support, telephone (212) 404-8102.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION OR BY ELECTRONIC BID, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE COUNTY AT THE PLACE, DATE AND TIME APPOINTED, AND THE COUNTY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

Book-Entry-Only Bonds: The Bonds will be issued in fully-registered form. One Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), as registered owner of the Bonds and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with DTC.

The Bonds will be issued in fully-registered form registered as to principal and interest; will be dated _____, 2014; will be in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing in each year; and will mature serially in successive annual installments on _____ in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
-------------	-----------------------------	-------------	-----------------------------

The Bonds will bear interest from the date thereof payable semiannually on _____ and _____ of each year, commencing _____, until they mature.

[Redemption Provisions]

Registrar/Paying Agent: Wells Fargo Bank, N.A., Atlanta, Georgia, shall serve as Registrar/Paying Agent for the Bonds.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of 1/20 or 1/8 of 1% and the interest rate specified for any maturity shall not be lower than the interest rate specified for any previous maturity. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A bid for less than all the Bonds, a bid at a price less than par or a bid which includes a premium in excess of 10% of the par amount of the Bonds will not be considered. In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price.

Award of Bid. The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost (TIC) to the County. The TIC will be the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The County reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

Security: The full faith, credit and taxing power of the County are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the County Auditor and collected by the County Treasurer, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

Good Faith Deposit: No good faith deposit is required.

Bid Form: Proposals should be enclosed in a separate sealed envelope marked "Proposal for \$ _____ General Obligation Bonds, Series 2014B, of Richland County, South Carolina" and should be directed to the Chair of the County Council at the address in the first paragraph hereof. It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.

Official Statement: Upon the award of the Bonds, the County will prepare an official statement (the "Official Statement") in substantially the same form as the preliminary official statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the County will deliver the Official Statement to the successful bidder in sufficient quantity to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful

bidder agrees to supply to the County all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.

Continuing Disclosure: In order to assist the bidders in complying with S.E.C. Rule 15c2-12(b)(5), the County will undertake, pursuant to an ordinance and a Disclosure Dissemination Agent Agreement, to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

Legal Opinion: The County Council shall furnish upon delivery of the Bonds the final approving opinions of McNair Law Firm, P.A., Columbia, South Carolina, which opinions shall accompany each Bond, together with the usual closing documents, including a certificate of the County that no litigation is pending affecting the Bonds.

Certificate as to Issue Price: The successful bidder must provide a certificate to the County by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: The Bonds will be delivered on or about _____, 2014, in New York, New York, at the expense of the County. The balance of the purchase price then due, including the amount of accrued interest, must be paid in federal funds or other immediately available funds.

Additional Information: The Preliminary Official Statement of the County with respect to the Bonds will be furnished to any person interested in bidding for the Bonds upon request. The Preliminary Official Statement shall be reviewed by bidders prior to submitting a bid. Bidders may not rely on this Notice of Sale as to the complete information concerning the Bonds. Persons seeking additional information should communicate with Tony McDonald, County Administrator, 2020 Hampton Street, Columbia, South Carolina, 29201, telephone (803) 576-2054 or Francenia B. Heizer, Esquire, McNair Law Firm, P.A., 1221 Main Street, 17th Floor, Columbia, South Carolina, 29201, telephone (803) 799-9800, e-mail: fheizer@mcnair.net.

RICHLAND COUNTY, SOUTH CAROLINA
s/ _____
Chair, County Council

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the “Disclosure Certificate”) is executed and delivered by Richland County, South Carolina (the “County”) in connection with the issuance of \$ _____ General Obligation Bonds, Series 2014B, Richland County, South Carolina (the “Bonds”). The Bonds are being issued pursuant to an ordinance adopted by the County Council of the County (the “Ordinance”). The County covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the County for the benefit of the beneficial owners and in order to assist the Participating Underwriters (defined below) in complying with the Rule (defined below).

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

“Annual Report” shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

“Dissemination Agent” shall mean the County or any successor Dissemination Agent designated in writing by the County and which has filed with the County a written acceptance of such designation.

“Listed Events” shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

“National Repository” shall mean for purposes of the Rule, the Electronic Municipal Market Access (EMMA) system created by the Municipal Securities Rulemaking Board.

“Bonds” shall mean the \$ _____ General Obligation Bonds, Series 2014B, Richland County, South Carolina, dated _____, 2014.

“Participating Underwriter” shall mean _____ and any other original underwriter of the Bonds required to comply with the Rule in connection with offering of the Bonds.

“Repository” shall mean each National Repository and each State Depository, if any.

“Rule” shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

“State Depository” shall mean any public or private repository or entity designated by the State of South Carolina as a state depository for the purpose of the Rule. As of the date of this Certificate, there is no State Depository.

SECTION 3. Provision of Annual Reports.

(a) The County shall, or shall cause the Dissemination Agent to provide, not later than February 1 of each year, commencing in 2015, to each Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than fifteen (15) business days prior to such date the County shall provide the Annual Report to the Dissemination Agent, if other than the County; provided, that if the audited financial statements required pursuant to Section 4 hereof to be included in the Annual Report are not available for inclusion in the Annual Report as of such date,

unaudited financial statements of the County may be included in such Annual Report in lieu thereof, and the County shall replace such unaudited financial statements with audited financial statements within fifteen (15) days after such audited financial statements become available for distribution. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the County may be submitted separately from the balance of the Annual Report.

(b) If the County is unable to provide to the Repositories an Annual Report by the date required in subsection (a), the County shall send a notice to the Municipal Securities Rulemaking Board and State Depository, if any, in substantially the form attached hereto as Exhibit A.

(c) The Dissemination Agent shall:

(1) determine each year prior to the date for providing the Annual Report the name and address of each National Repository and each State Depository, if any; and

(2) if the Dissemination Agent is other than the County, file a report with the County and (if the Dissemination Agent is not the Registrar) the Registrar certifying whether the Annual Report has been provided pursuant to this Disclosure Certificate, and, if provided, stating the date it was provided, and listing all the Repositories to which it was provided.

SECTION 4. Content of Annual Reports.

(a) Each Annual Report shall contain Annual Financial Information with respect to the County, including the information provided in the Official Statement under the headings: “THE BONDS—Security;” “DEBT STRUCTURE—Outstanding Indebtedness;” “CERTAIN FISCAL MATTERS—Assessed Value of Taxable Property in the County,” “—Estimated True Value of All Taxable Property in the County,” “—Tax Rates,” “—Tax Collections for Last Five Years,” and “—Ten Largest Taxpayers.”

(b) Audited Financial Statements prepared in accordance with GAAP as described in the Official Statement will be included in the Annual Report.

Any or all of the items listed above may be included by specific reference from other documents, including official statements of debt issues with respect to which the County is an “obligated person” (as defined by the Rule), which have been previously filed with each of the National Repositories or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The County will clearly identify each such document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the County shall give, or cause to be given, notice of the occurrence of any of the following events (the “Listed Events”):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;

- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Tender offers;
- (10) Defeasances;
- (11) Release, substitution, or sale of property securing repayment of the securities;
- (12) Rating changes;
- (13) Bankruptcy, insolvency, receivership or similar event of the County;
- (14) The consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms;
- (15) Appointment of a successor or additional trustee or the change of name of a trustee.

(b) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(2), (7), (8), (11), (14), or (15) above, the County shall as soon as possible determine if such event would be material under applicable federal securities laws. If the County determines that knowledge of the occurrence of such event would be material under applicable federal securities laws, the County shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Trustee, the Municipal Securities Rulemaking Board and the State Depository.

(c) Whenever the County obtains knowledge of the occurrence of a Listed Event described in subsections (a)(1), (3), (4), (5), (6), (9), (10), (12), or (13) above, the County shall promptly, and no later than 10 days after the occurrence of the event, file a notice of such occurrence with the Trustee, the Municipal Securities Rulemaking Board and the State Depository.

(d) Notwithstanding the foregoing, notice of Listed Events described in subsections (a)(8), (9), and (10) above need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to owners of affected Bonds. For the purposes of the event identified in (a)(13) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County.

SECTION 6. Termination of Reporting Obligation. The County's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of the Bonds.

SECTION 7. Dissemination Agent. The County may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the County.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the County may amend this Disclosure Certificate and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to the County, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is specifically required by this Disclosure Certificate, the County shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the County, or the Dissemination Agent to comply with any provision of this Disclosure Certificate, any beneficial owner may take such actions as may be necessary and appropriate, including seeking injunctive relief or specific performance by court order, to cause the County, or the Dissemination Agent, as the case may be, to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the County, or the Dissemination Agent to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the County agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which they may incur arising out of or in the exercise or performance of their powers and duties hereunder, including the costs and expenses (including attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the County under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the County, the Dissemination Agent, the Participating Underwriters, and Holders from time to time of the Bonds and shall create no rights in any other person or entity.

SECTION 13. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
County Administrator

Dated: _____, 2014

NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Richland County, South Carolina
Name of Issue: \$_____ General Obligation Bonds, Series 2014B
Richland County, South Carolina
Date of Issuance: _____, 2014

NOTICE IS HEREBY GIVEN that Richland County, South Carolina (the "County") has not provided an Annual Report with respect to the above-named Bonds as required by Sections 3 and 4 of the Continuing Disclosure Certificate executed and delivered by the County as Dissemination Agent. The County has notified us in writing that the Annual Report will be filed by _____.

Dated: _____

RICHLAND COUNTY, SOUTH CAROLINA

FORM OF NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the County Council of Richland County, South Carolina (the "County"), in County Council Chambers located at 2020 Hampton Street, Columbia, South Carolina, at 6:00 p.m. on Tuesday, July 15, 2014, or at such other location as proper notice on the main entrance to the said building might specify.

The purpose of the public hearing is to consider an Ordinance providing for the issuance and sale of General Obligation Bonds of Richland County, South Carolina in the aggregate principal amount of not to exceed \$35,000,000 (the "Bonds"), the proceeds of which will be used to provide funds for: (i) defraying the costs of capital projects, including but not limited to constructing, renovating and repairing County facilities and funding the purchase of fiscal year 2014-2015 equipment and public safety vehicles (the "Projects"); (ii) paying costs of issuance of the Bonds; and (iii) such other lawful corporate and public purposes as the County Council shall determine.

The full faith, credit and taxing power of the County will be irrevocably pledged for the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor. There shall be levied annually by the Auditor of the County, and collected by the Treasurer of the County, in the same manner as other county taxes are levied and collected, a tax, without limit, on all taxable property in the County sufficient to pay the principal of and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

At the public hearing all taxpayers and residents of the County and any other interested persons who appear will be given an opportunity to express their views for or against the Ordinance and the issuance of the Bonds.

COUNTY COUNCIL OF RICHLAND COUNTY,
SOUTH CAROLINA

Richland County Council Request of Action

Subject

An Ordinance Amending the Fiscal Year 2014-2015 General Fund Annual Budget to appropriate \$60,000.00 of General Fund Unassigned Balance to be used for Engineering Design and Easement Acquisition for the Lower Richland Sewer Project [**PAGES 83-85**]

Notes

First Reading: July 15, 2014

Second Reading:

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO.GF_01

AN ORDINANCE AMENDING THE FISCAL YEAR 2014-2015 GENERAL FUND ANNUAL BUDGET TO APPROPRIATE \$60,000.00 OF GENERAL FUND UNASSIGNED BALANCE TO BE USED FOR ENGINEERING DESIGN AND EASEMENT ACQUISITION FOR THE LOWER RICHLAND SEWER PROJECT.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. Council accepted the South Carolina Rural Infrastructure grant in the amount of \$350,000, and the allocation of \$60,000 to be used for engineering design and easement acquisition. That the amount of Sixty Thousand (\$60,000.00) be appropriated specifically for South Carolina Rural Infrastructure Grant Approval and Additional Funding for Project Engineering Design and Easement Acquisition. Therefore, the Fiscal Year 2014-2015 General Fund Annual Budget is hereby amended as follows:

REVENUE

Revenue appropriated July 1, 2014 as amended:	\$ 154,012,309
Appropriation of General Fund unassigned fund balance:	\$ <u>60,000</u>
Total General Fund Revenue as Amended:	\$ 154,072,309

EXPENDITURES

Expenditures appropriated July 1, 2014 as amended:	\$ 154,012,309
Grant Match :	\$ <u>60,000</u>
Total General Fund Expenditures as Amended:	\$ 154,072,309

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2014.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chair

ATTEST THIS THE ____ DAY
OF _____, 2014

Clerk of Council

RICHLANDCOUNTYATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property [**PAGES 86-97**]

Notes

July 22, 2014 - The Committee forwarded this item to Council without a recommendation. Legal will work with Conservation staff to resolve any outstanding issues concerning this item.

Richland County Council Request of Action

Subject: RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property

A. Purpose

County Council is requested to approve a contribution of \$20,000 from Richland County Conservation Commission (RCCC) funds for Olympia Community Education Foundation (OCEF) to acquire a historic building in Olympia for preservation and community use.

B. Background / Discussion

Dr. Sherry Jaco, a member of the OCEF, approached RCCC in February 2014 about their efforts to purchase the building at 1170 Olympia Avenue for use as a museum to interpret life in the Olympia and Granby mill villages. This building was the first Olympia School from 1901 to 1909. Aware of our historic preservation grant program, Dr. Jaco submitted a grant application for restoration funds by the deadline of February 20, 2014. However, the Historic Committee concluded that while the project was a worthwhile one, funds for acquisition were the first priority and the grant program criteria did not provide for purchase funds.

The owner of the building submitted a Historic Building Eligibility application, which the RCCC approved on March 24, 2014. Good documentation and early photographs (see attached) amply demonstrate why the structure meets the criteria for an association with events that have made a significant contribution to the broad patterns of the history of Columbia.

OCEF, a 501(c) (3) organization, is the fiscal agent for the project and will own and maintain the building. Their mission is to promote educational programs and a positive image for the Olympia Community. A museum located in an original mill house will help preserve the rich history of the Olympia and Granby villages, demonstrating how mill families lived, studied and worked. Use of the building for community purposes such as meetings, classes, exhibit space, and after school programs is being explored.

Dr. Jaco has pledges totaling \$40,000 for the purchase of the building. She requested a contribution from the RCCC at their April meeting. On May 19, 2014 the RCCC approved \$20,000 from FY15 funds to assist in the acquisition, with the condition the funds would be returned if the building ceases to serve as a museum and public space. We expect OCEF to apply for a historic preservation grant (FY 16) to assist with the restoration of the building. The owner is willing to sell the house for \$90,000, which is \$8,000 less than the purchase price in 2012 – see attached data from Assessor’s Office. The Community Development Block Grant program has recognized the historic significance of the project, and the improvement it will bring to the Olympia neighborhood by committing \$30,000 funds in their FY15 federal allocation.

C. Legislative / Chronological History

This is an RCCC and staff-initiated request. Therefore, there is no legislative history.

D. Financial Impact

RCCC has \$20,000 available in its FY15 budget for special projects under its Professional Services category.

E. Alternatives

1. Approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space.
2. Do not approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space. If the request is not approved, OCEF may not be able to raise the funds to purchase the building before the landowner feels compelled to sell it to another buyer. The opportunity to preserve the original school for public use will be lost.

F. Recommendation

It is recommended that Council approve the request for RCCC to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space.

Recommended by: Nancy Stone-Collum Department: Conservation Date: 6/6/14

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers

Date: 6/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Funds are available as noted

Legal

Reviewed by: Elizabeth McLean

Date: 6/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. I would recommend and MOU with the receiving entity directing that the funds be returned in the event that property ceases to serve as a museum or public historical/educational space (and any other requirements council would like to place on the funds).

Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

Date: 6/19/14

Recommend Council denial

Olympia School in 1903



OLYMPIA SCHOOL - 1903

Miss Marie Powers is at right with bike. Chimney stairs have been added for private access to second story enlarged room, also as a stairway. Columbus Street Railway tracks in front of school.



OLYMPIA SCHOOL INTERIOR - 1903

Partitions was removed to enlarge classroom. Note window at right. Partition was emphasized, note flags on wall end of room. Grades one, two and three were included in the first floor classroom.

Assessor Data View

The information provided on this page reflects data as of **December 31, 2012** and should be used for reference only. For official assessment information, please contact the Richland County Assessor's Office.

Information presented on the Assessor's Database is collected, organized and provided for the convenience of the user and is intended solely for informational purposes. **ANY USER THEREOF OR RELIANCE THEREON IS AT THE SOLE DISCRETION, RISK AND RESPONSIBILITY OF THE USER.** While every attempt is made to provide information that is accurate at the date of publication, portions of such information may be incorrect or not current. **RICHLAND COUNTY HEREBY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, AS TO ITS ACCURACY, COMPLETENESS OR FITNESS FOR ANY PARTICULAR PURPOSE.** All official records of the County and the countywide elected officials are on file in their respective offices and may be viewed by the public at those offices.

Owner Information	
Tax Map Number:	R11203-06-04
Owner:	GREENE ROY L
Address 1:	1170 OLYMPIA AVE
Address 2:	
Address 3:	
City/State/Zip:	COLUMBIA SC 29201
Property Location/Code:	1170 OLYMPIA AVE <input type="checkbox"/>

Tax Information	
Year:	2013
Property Tax Relief:	(\$974.90)
Local Option Sales Tax Credit:	(\$124.46)
Tax Amount:	\$843.86
Paid:	Yes
Homestead:	No
Assessed:	\$3,920.00

Assessment Information			
Year Of Assessment:	2014	Legal Residence:	Yes
Tax District:	1UR	Sewer Connection:	CITY
Acreage Of Parcel:	0.00	Water Connection:	CITY
Non-Agriculture Value:	\$12,500.00	Agriculture Value:	\$0.00
Building Value:	\$84,000.00	Improvements:	\$1,500.00
Taxable Value:	\$98,000.00		
Zoning:	RM-HD	RESIDENTIAL, MULTI-FAMILY	

Property Information			
Legal Description:	LOT 1 BLOCK 9	#SU PACIFIC MILLS	
	84.2X105X84.9X105	#PR I-76	
Land Type:	RESIDENTIAL LAND		

Sales History

Current Owner Name	Sale Date	V/I	Book/Page	Sale Price	Qual Code
GREENE ROY L	02/21/2012	I	R1743/ 622	\$98,000.00	Q
PHILLIPS SHERRY R	10/07/2008	I	R1468/ 1893	\$5.00	2
PHILLIPS JEFFREY L	09/20/2000	I	R0444/ 1046	\$55,000.00	9
PHILLIPS JEFFREY L &	03/05/1996	I	D1304/ 831	\$37,500.00	Q

Qualification Code Definitions

Structure Information

Building Number	Year Structure Was Assessed	Building Description	Actual Year Built	Number Of Bathrooms	Number Of Bedrooms	Total Number Of Stories	Heated Square Footage	Total Square Footage
1	2014	DUPLEX - WALL GROUP 1	1910	2.0	4	2.0	1788	2040

Structure Details

Structure Type	Structure Description	Building Number
Building Element	AC TYPE...NONE	1
Building Element	ARCHITECTURAL STYLE...CONVENTIONAL	1
Building Element	BUILDING SHAPE...SQUARE	1
Building Element	ELECTRICAL...BELOW AVERAGE	1
Building Element	EXTERIOR WALL 1...COMP OR WALLBOARD	1
Building Element	EXTERIOR WALL 2	1
Building Element	FOUNDATION...PIERS	1
Building Element	HEAT TYPE/FUEL...CONVECTION/GAS	1
Building Element	INSULATION...AVERAGE	1
Building Element	INTERIOR FLOOR 1...PINE OR SOFTWOOD	1
Building Element	INTERIOR FLOOR 2	1
Building Element	INTERIOR WALL 1...3-PLASTER/DRYWALL	1
Building Element	INTERIOR WALL 2	1
Building Element	ROOF COVER...ASPHALT SHINGLE	1
Building Element	ROOF STRUCTURE...GABLE OR HIP	1
Building Element	STRUCTURAL FRAME	1

Misc Improvement	FIREPLACE-1 STORY SINGLE/MHOME	1
Misc Improvement	FIREPLACE-1 STORY SINGLE/RESID	1
Misc Improvement	FIREPLACE-1 STY SGL/COMMERCIAL	1

Exemptions

Exemption Year	Exemption Description
----------------	-----------------------

- 1) The OCEF shall acquire the Property, which shall be titled solely in OCEF's name, and create a museum and community space, as outlined above.
- 2) Richland County agrees to award OCEF the sum of Twenty Thousand (\$20,000.00) Dollars to be used towards the purchase price of the Property. The OCEF shall request disbursement of the funds no earlier than 21 days before the closing date of the Property and no later than 12 months from the date of execution of this Agreement, with such funds being paid via check made payable to the Olympia Community Education Foundation.
- 3) The parties hereto understand that the funding for this award shall be made from fiscal year 2014/2015 budget, and that the appropriation herein agreed to, if not used within the 2014/2015 Richland County fiscal year, shall be then subject to re-approval and the availability of funds for Richland County Conservation Commission during any other fiscal year.
- 4) If at any time, the Property ceases to be used as a museum and/or educational/historical space, OR if the OCEF sells or transfers the Property without RCCC's prior written approval, the entire Twenty Thousand (\$20,000) award shall be repaid to Richland County by the OCEF.
- 5) This Agreement shall remain in full force and effect for ten (10) years from the date of purchase of the Property. At the expiration of the ten (10) year period, the requirements in Paragraph 4, above, shall no longer be in effect and OCEF shall not be required to repay any of the funds provided herein.
- 6) The parties hereto expressly agree that the tendering of this award by Richland County and the acceptance thereof by the OCEF in no way creates any agency

relationship between the parties or any relationship which would subject Richland County to any liability for any acts or omissions of the recipient entity or entities. The OCEF shall indemnify and hold harmless Richland County, its parent, subsidiaries and affiliates and all their respective directors, council members, officers, agents and employees (hereafter collectively referred to as the "Indemnitee") from liability, damages, losses, costs, expenses, demands, claims, suits, actions and causes of action on account of illness, personal injury or death to employees or any other persons, damage to property of Richland County or others or other loss or liability arising from or in connection with the OCEF's performance of any the terms and conditions outlined in this Agreement. Further, the OCEF, at its own expense, shall defend any demand, claim, suit, action or cause of action brought against the Richland County where such demand, claim, suit, action or cause of action arises from any cause for which Richland County may be entitled to be indemnified and held harmless pursuant to this Agreement, arising from or in connection with such demand, claim, suit, action or cause of action; provided, however, that Richland County shall be entitled to participate in such defense.

- 7) Any employees, volunteers or persons authorized to conduct or carry out the mission of the OCEF shall be the sole responsibility of the OCEF and shall not be employees of Richland County.

IN WITNESS WHEREOF WE THE UNDERSIGNED have this _____ day of _____, 2014, set our hand and seal hereon.

OLYMPIA COMMUNITY
EDUCATION FOUNDATION:

By: _____
Its: _____

WITNESSES:

RICHLAND COUNTY
CONSERVATION COMMISSION

By: _____
Its: _____

WITNESSES:

Richland County Council Request of Action

Subject

Charleston County-SLBE Division Intergovernmental Agreement [**PAGES 98-107**]

Notes

July 22, 2014 - The Committee forwarded this item to Council without a recommendation. The Committee directed staff to review the possibility of using local firms to perform the functions, as described in the Intergovernmental Agreement, within the Administrator's procurement authority. Staff will provide this information to Council, along with the outcomes from the Charleston County program.

Richland County Council Request of Action

Subject: Charleston County-SLBE Division Intergovernmental Agreement

A. Purpose

County Council is requested to approve an Intergovernmental Agreement (IGA) with Charleston County Government with the express authority by way of the signature of the County Administrator, for the purpose of providing technical and administrative assistance in conducting desk audits, site visits, sharing information and providing resources to the Small Local Business Enterprises (SLBE) Division.

B. Background / Discussion

- The need for technical and administrative assistance in conducting desk audits, site visits, sharing information and providing resources to the SLBE program evolved with the development of the SLBE Division.
- Charleston County's Small Business Enterprises (SBE) and Minority, Women Disadvantaged Business Enterprises (MWDBE) programs have been in existence for approximately eight years. The staff has the experience, expertise and personnel to provide Richland County with assistance on SLBE certifications on an as-needed basis.
- The SLBE Division will launch with two staff people on board who will require time to become familiarized with the program, instructed on policies and procedures and trained on the diversity management system that will be integrated later this year.
- Franklin Lee's consultation assistance will gradually end over the next several months. This provides another resource to address questions, concerns or clarifications that staff may have as the program evolves.

The IGA, which includes a Fee Schedule, is attached herein.

C. Legislative / Chronological History

- May 2013: Franklin Lee was contracted to write the ordinance, design the SLBE program and provide legal assistance through the development and implementation of the program.
- May 2014: In order to accommodate the process of certifying applications for prospective SLBE participants before the program officially launched, a consultant was hired to assist with performing an interim process of certifying firms exclusively for the Program Development Team (PDT).
- July 2014: Because the SLBE program has not launched yet, this special administrative process will be applied to the On-Call Engineering Team and Dirt Road Paving Program solicitations as well.
- There are three major components remaining to be completed before the program launches:
 - Two staff people, a Certification Specialist and a Contracts and Compliance Specialist, will need to be hired;
 - Securing space for the program offices. Adequate space has been identified at the County's Health Building next door, however, the space needs to be renovated before the program staff can move in;

- B2GNow software needs to be installed on staff computers and integrated into our financial system.

D. Financial Impact

The financial impact is at cost to Charleston County, which means Richland County will reimburse Charleston County for actual expenses incurred as a result of services provided under the terms of the IGA. The Fee Schedule is outlined in the table below.

Title	*Technical Assistance	Seminars/Educ. Programs	Site Visits	Hourly Rate	Mileage
DBE Program Manager	✓			\$36.60	\$.56 / mile
SBE Program Representative	✓	✓	✓	\$18.33	\$.56 / mile
DBE Program Representative	✓	✓		\$36.60	\$.56 / mile

E. Alternatives

1. Approve the request to enter into an Intergovernmental Agreement with Charleston County Government for the purpose of providing technical and administrative assistance to the SLBE program.
2. Do not approve the request to enter into an Intergovernmental Agreement with Charleston County Government for the purpose of providing technical and administrative assistance to the SLBE program. If this alternative is chosen, a consultant will need to be hired to provide this assistance.

F. Recommendation

It is recommended Council approve the request to enter into an Intergovernmental Agreement with Charleston County Government with the express authority by way of signature of the County Administrator, for the purpose of providing technical and administrative assistance to the SLBE Division.

Recommended by: Justine Jones
 Department: SLBE Division
 Date: 7/16/2014

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 6/17/14
 Recommend Council approval Recommend Council denial
 Recommend Council discretion
 Comments regarding recommendation:

This is a contractual matter for Council discretion.

Legal

Reviewed by: Elizabeth McLean

Date: 7/18/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion.

Administration

Reviewed by: Tony McDonald

Date: 7/18/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: The Intergovernmental Agreement with Charleston County, which has an experienced and long-standing SLBE program in place, will allow for the discontinuation of consultants currently being used for SLBE certifications. Instead, start-up assistance for Richland County's SLBE program will be provided by Charleston County, at a much lesser cost than that currently being paid to outside consultants.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN RICHLAND COUNTY,
SOUTH CAROLINA AND
CHARLESTON COUNTY, SOUTH
CAROLINA**

THIS AGREEMENT entered into this ____ day of _____, 2014, is by and between Richland County, South Carolina (hereinafter "RICHLAND") and Charleston County, South Carolina (hereinafter "CHARLESTON").

RECITALS

WHEREAS, RICHLAND has enacted a SMALL LOCAL BUSINESS ENTERPRISE ("SLBE") ordinance and program designed to ensure inclusion of small and local businesses in certain contracts with RICHLAND; and

WHEREAS, as a part of the SLBE program, RICHLAND is required to certify small and local businesses; and

WHEREAS, RICHLAND desires assistance from CHARLESTON regarding SLBE certifications; and

WHEREAS, CHARLESTON has the knowledge and manpower to provide RICHLAND with assistance on SLBE certifications; and

WHEREAS, RICHLAND and CHARLESTON are bodies politic with all the rights and privileges of such, including the power to contract as necessary and the incidental power to carry out the functions under this Agreement; and

WHEREAS, S.C. Const. art. VIII, Section 13 provides that "Any county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof;" and

WHEREAS, S.C. Code Ann. Section 4-9-41(A) provides that "Any county, incorporated municipality, special purpose district, or other political subdivision may provide for the joint administration of any function and exercise of powers as authorized by Section 13 of Article VIII of the South Carolina Constitution;" and

WHEREAS, S.C. Code Ann. Section 4-9-41(B) states that joint administration of any

such function “may not be construed in any manner to result in diminution or alteration of the political integrity of any of the participant subdivisions which agree to and become a part of the functional consolidation, nor may any constitutional office be abolished by it;”

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. Representations, Warranties and Covenants.

Each party to this Agreement represents and warrants that:

(a) it has full legal right, power and authority to enter into this Agreement and to perform and consummate all other transactions contemplated by this Agreement.

(b) it has duly authorized the execution, delivery and performance of its obligations under this Agreement and the taking of any and all actions as may be required on the part of each party to perform and consummate the transactions contemplated by this Agreement.

(c) this Agreement constitutes a legal, valid and binding obligation of each party, enforceable in accordance with its terms.

(d) there is no action, suit, proceeding, inquiry or investigation at law or in equity before or by any court, public board, or body, pending or, to the best of the knowledge of each party, threatened against any party, nor to the best of the knowledge of each party is there any basis therefore, which in any manner questions the powers of each party to this Agreement, or the validity of any proceedings taken by either party or its governing body in connection with this Agreement or wherein any unfavorable decision, ruling, or finding could materially adversely affect the transactions contemplated by this Agreement or which, in any way, would adversely affect the validity or enforcement of this Agreement (or of any other instrument required or contemplated for use in consummating the transactions contemplated thereby and hereby).

2. Services to be Provided by CHARLESTON.

Pursuant to this Agreement, CHARLESTON shall provide the following services to RICHLAND relating to SLBE certifications:

(a) assist in reviewing SLBE applications;

(b) conduct administrative and financial verifications;

(c) provide technical assistance to RICHLAND, as requested, in conducting SLBE certifications;

(d) identify a representative(s) who will be the only authorized contact with RICHLAND as it relates to the services to be provided under this Agreement;

(e) use at least the same degree of care, discretion and diligence in protecting the information provided by RICHLAND pursuant to this Agreement as it uses with respect to its own confidential information. CHARLESTON will limit access to the information provided by RICHLAND to its employees with a need to know the information in order to provide the services outlined in this Agreement and will instruct those employees to keep the information confidential.

3. RICHLAND will:

(a) reimburse CHARLESTON for actual expenses incurred as a result of services provided under this Agreement, as outlined in Paragraph 5, below;

(b) identify and designate a SLBE program representative(s) who will be the only authorized contact with CHARLESTON as it relates to the services to be provided under this Agreement;

(c) provide all specific work requests to CHARLESTON in a mutually agreed upon format.

4. Term and Termination.

This term of this Agreement shall be for one (1) year from the date first written above or until sooner terminated by either party upon such party giving thirty (30) days written notice to the other party of that party's intent to terminate this Agreement. This Agreement may be renewed for successive one (1) year terms up to a total of four (4) years.

5. Compensation for Services.

(a) RICHLAND shall pay CHARLESTON for services provided and actual expenses incurred under this Agreement, pursuant to the Fee Schedule attached as Exhibit A and incorporated herein.

(b) CHARLESTON shall invoice RICHLAND monthly and RICHLAND shall remit

payment within thirty (30) days of receipt of the invoice.

6. Miscellaneous Provisions.

(a) This Agreement contains the entire agreement of the parties, and no prior agreements, oral or otherwise, among the parties not embodied herein shall be of any force or effect. Any amendment to this Agreement shall not be binding upon all of the parties hereto unless such amendment is in writing and executed by all parties hereto.

(b) This Agreement may be executed in multiple counterparts, the signature pages of which may be compiled to constitute one original Agreement.

(c) This Agreement is intended to be performed in compliance with all applicable laws, ordinances, rules and regulations. If any of the provisions of this Agreement or the application thereof shall be invalid or unenforceable, then the remainder of this Agreement shall not be affected thereby but shall be enforced to the greatest extent permitted by the law.

(d) This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina without giving effect to any choice or conflict of law provision or rule of any jurisdiction that would cause the application of the laws of any jurisdiction other than the State of South Carolina.

(e) The parties hereto expressly agree that this Agreement in no way creates any agency relationship between the parties or any relationship which would subject either party to any liability for any acts or omissions of the other party to this Agreement.

7. Notices.

Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been fully given as of the date and time the same are sent by facsimile transmission, nationally recognized overnight delivery service or registered or certified mail, return receipt requested, and addressed to the parties as follows:

To CHARLESTON: 4045 Bridge View Dr
N. Charleston, SC 29405


Its: _____

To RICHLAND:

Its: _____

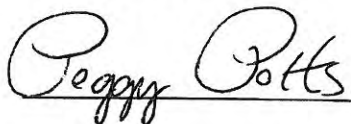
IN WITNESS WHEREOF, WE THE UNDERSIGNED have signed and sealed on the date first above written.


CHARLESTON COUNTY:



Its: ADMINISTRATOR

WITNESSES:





RICHLAND COUNTY

Its:

WITNESSES:

FEE SCHEDULE FOR RICHLAND-CHARLESTON COUNTY IGA

Title	*Technical Assistance	Seminars/ Educ. Programs	Site Visits	Hourly Rate	Mileage
DBE Program Mgr.	✓			\$36.60	\$.56 / mile
SBE Program Rep.	✓	✓	✓	\$18.33	\$.56 / mile
DBE Program Rep.	✓	✓		\$36.60	\$.56 / mile

***Technical Assistance Summary:**

- Assist in review of applications;
- Assist in development of program metrics, tracking, monitoring and reporting tools;
- Assist in outreach and site visits process;
- Assist with administrative and financial verifications;
- Assist with DBE program development of:
 - Program initiatives
 - Outreach
 - Educational programs
 - On-the-Job Training program
 - Internship program

Richland County Council Request of Action

Subject

Central Midlands Council of Governments - 1; one application was received from the following: **[PAGES 108-114]**

Alfred Comfort, III



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant must reside in Richland County.

Name: Alfred Comfort III

Home Address: 4 MELROSE COURT COLUMBIA, SC 29229

Telephone: (home) 843.608.9705 (work) 803.737.1245

Office Address: 955 PARK STREET

Email Address: comforta@yahoo.com

Educational Background: BS: in Business Admin MBA: Business (Emphasis in Accounting)

Professional Background: 20+ career in Audit, Banking, Finance and Accounting at top fortune
50 companies.

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Central Midlands Council of Governments

Reason for interest: I have a strong desire and high level of interest serving the county in this
capacity.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

In addition many years of professional experience, I in many phases of business, I understand
transportation, construction, finance, accounting, government, etc.

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? _____

Recommended by Council Member(s): Chair Norman Jackson and Councilman Kelvin
Washington

Hours willing to commit each month: 2 – 10 Hours a month or more.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Alfred Comfort
Applicant's Signature

6-9-2014
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only		
Date Received: _____	Received by: _____	
Date Sent to Council: _____		
Status of Application:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

Alfred Comfort III, MBA, CPM

1220 Marvin Ave. • Charleston, SC 29407 • Work 803.737.1245 • Cell 843.608.9705

Alfred serves as the chief accounting executive at the SC Department of Transportation. Alfred direct and controls access to all agency funds and is the key accountant and fiduciary for the organization's financial statement development and presentation. Budgeting is another key function Alfred and his staff help maintain but does not have direct responsibility for in his current role. All revenues and expenditures are counted and accounted for through his various areas of responsibility. He develops reports and performs analyses that are crucial to the strategic and tactical management of the organization. In addition to the measurement and analysis of agency revenues and expenditures, he works with engineers setting rates for the key services provided to the citizens of South Carolina. He has a high level of understanding of key IT and compliance concepts and issues from his current and past work experience, which gives him the necessary expertise to evaluate IT and compliance related processes and systems along with proposals and plans, which may have financial and strategic impacts to an organization.

Alfred demonstrates the oft needed conservatism and prudence of a financial and operational executive. He has a healthy concern about the downside and risks of business decisions he is required to make. He has an attention to detail and mastery of facts about the organization's financial position. He provides an appropriate amount of hands-on capability with creating and analyzing financial information and reports. He has the ability to explain complex financial issues clearly and concisely in plain language, without resorting to technical speak. Alfred also has a keen expertise in information technology (IT) and compliance realms, especially related to the organizations accounting systems and processes. He has always exuded a willingness to work hard and for long hours if necessary and always remains calm under pressure.

2009 - Present - State of South Carolina

Financial Controller – South Carolina Department of Transportation (2012 - Present);

Finance Director – SC Budget & Control Board, Division of State Information Technology (2010 - 2012);

Financial Manager – SC Budget & Control Board, Internal Operations (2009 - 2010)

Provide strategic and tactical leadership in the areas of accounting, accounts receivable, accounts payable, budgets, payroll, federal grants, financial reporting (internal and external), strategic planning, citizen relations, and corporate communications. Took over financial management of the all accounting related functions at a time when the agency was experiencing issues with the payment of agency-wide expenses and the production of agency-wide financial statements.

Overview: Play a leading role in transforming the agency into an organization that issued mistake free financial statements for \$1.4 Billion of financial activity. Ensures the agency improved payment of vendor invoices to 95% paid within 30 days of receipt. Led efforts to streamline federal grants process increasing agency cash flows financing. Increased cash flows allowing additional funds for the construction and maintenance of the South Carolina transportation system.

- Recruited by the Deputy Secretary of Finance and Administration to help improve fiscal operations.
- Designed and led major reorganization of the accounting for the agency and resulted in higher efficiency.
- Produced error free GAAP financial statements, two years in a row.
- Improved financial functions related to accounts payable, federal grants, and payroll to reduce cycle times.
- Mended relationships between accounting and business partners to better ensure success of financial operations.
- Provide ongoing strategic leadership to ensure continuity of fiscal operations.

2008 - 2009 - **PROJECT MANAGER AND INTERNAL AUDITOR**, TriCenturion (Partially owned by Palmetto Health), Columbia, SC;

- Led Projects and Conduct Company-wide audits and training.
- Conducted research on compliance and Medicaid/Medicare/CMS related matters in order to ensure proper adherence to Medicaid/Medicare/CMS requirements for beneficiary determination.
- Provided class type instruction and trained other employees on the use of Microsoft Office programs and applications.

2005 – 2007 – **VP, SENIOR COMPLIANCE AUDIT RISK MANAGER**, Wells Fargo Bank, Audit and Security, Phoenix, AZ;

- Accountable for completion of an important portion of the Anti-Money Laundering compliance team audit plan and managing a group dedicated to the completion of the plan, including the development of an audit risk assessment.
- Chaired a subcommittee of the group of the 25 largest banks. Subcommittee focuses on the industry in regards to the risk of BSA/AML and OFAC.
- Provided feedback and coaching. Establishes development plans for each Team Member that facilitate proficiency and excellence in current position.
- Recruited for future opportunities. Developed and maintained strong, positive relationships with clients and third parties. Planned and organized work in an annual cycle, not just project cycle. Ensured audit engagements are risk-based, and executed according to Wells Fargo Audit Services policies and guidance.
- Local Diversity Council chairperson for the Audit and Security Team. Held informative value added meetings and arranging other events and speakers.

1997- 2005 – **VP, SENIOR COMPLIANCE AUDIT RISK MANAGER**, Bank of America, Corporate Audit; Corporate Risk Management, Charlotte, NC;

- Managed Compliance Risk Management and Corporate Marketing business groups audit relationships, including execution of the audit plan, communication with business partners and key project expense management responsibilities. Research and rank regulatory changes that affect the organization and prepare for regulatory examinations.
- Provide training to other bank employees on latest methods to conduct compliance reviews and reporting. Provide training guides to ensure consistency with organizational objectives based on the assessment of needs using surveys.
- Worked with Audit/Compliance executives to develop, implement and communicate policies and strategies related to compliance matters with additional emphasis on Anti-Money Laundering Compliance (USA Patriot Act, BSA, OFAC, etc.).
- Proactively managed relationships with regulatory agencies, external consultants and other internal risk management groups.
- Develop and implement automated testing routines assigned areas and previously duties included documenting overall processes with failure modes, identifying those metrics that are considered critical to quality, measure unit performance against the predetermined metrics and follow up with client as appropriate for any deficiencies and determination of root cause.

1995 - 1997 **CORPORATE FINANCIAL ANALYST**, The Hearst Corporation, Charlotte, NC;

- Produced monthly, quarterly and yearly internal reports of Cash, Revenue, Income, and Capital expenditures. Researched to measure and forecast corporate competitiveness and unit productivity along eight product lines.
- Managed the entire corporate budget process under the direction of the Deputy Budget Director. Regularly communicated with all company division controllers and accounting managers to discuss any finding. Provided reporting to senior and executive management and assisted with key acquisition analysis.

1994 - 1995 – **INSTITUTIONAL BUDGET ANALYST**, Winthrop University, Rock Hill, SC;

- Direct report of the University Budget & Grants Director - managed entire annual budget process and prepared balanced budget/journal entries. Developed and distributed revenue reports for executive and senior university management. Conducted periodic reviews of budget balances to assure accuracy.
- Worked with department heads providing an understanding of issues. Created a training manual/process and provided training to university staff and executives to better assist and coach department heads on the use of FRS. Maintained the university chart of accounts and managed accounting system access as the administrator of FRS.

TECHNOLOGY - Microsoft Products (expert) • Focus • Hyperion • BRIO • ACBS • PIMS • ACL • SAP • CRYSTAL REPORTING

VOLUNTEERING – Richland County Internal Audit Committee - Former Member • Volunteer Center of Maricopa County – Former Board Member • United Way - Adult Child Protection Council – Former Board Member • Charlotte Emergency Housing – Former Board Member

EDUCATION & AFFILIATIONS:

- BS, Business Administration Bachelors' Degree, with an accounting emphasis Winthrop University, 1994
- MBA, Initiated at Winthrop University and completed at Webster University, 2010
- Certified Public Manager (CPM), 2014
- GFOA Certification – In process, certification expected 2015
- Certified Internal Auditor (CIA) - Completed one portion of the examination
- Certified Public Accountant (CPA) – Currently studying for the CPA
- Member of Government Finance Officers Association of South Carolina
- Member of South Carolina Association of Certified Public Accountants
- Member of SC Society of Certified Public Managers

Richland County Council Request of Action

Subject

REPORT OF THE OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE: [PAGES 115-117]

Purpose, Mission, Service Coverage Area, and Department Names

Proposed Purpose

“The Office of Small Business Opportunity supports the successful development and growth of for-profit small businesses using a combination of development programs, organizational training and strategies for advancement. Participants will have access to a number of internal and external networks that can provide additional support, development tools and contracting opportunities to current and aspiring business owners desiring to start, expand and succeed in business.”

Discussion Point:

Staff recommends developing a purpose that represents the key elements of the department’s operations to inform the public, stakeholders and staff of the vision for the future of the office.

Action Item: Does the Committee recommend adopting this statement as the office’s purpose?

Proposed Mission Statement

“The Office of Small Business Opportunity is an inclusive program committed to promoting Richland County small businesses in growing, building capacity and providing access to resources by offering opportunities for meaningful participation in projects and contracts through a diverse and supportive business environment.”

Discussion Point:

Staff recommends defining the Mission for the office which provides the framework and guides the actions of the department, spells out its overall goal and guides decision-making.

Action Item: Does the Committee recommend approving or revising and adopting the proposed Mission for the office?

Service Coverage Area

1. Those located in Richland County?
2. Those located in the Midlands area?
3. Those located in the state of SC?
4. Open access, available to all small businesses without regard to location?

Discussion Point: Staff recommends determining which area the OSBO should offer services to its small business participants.

Action Item: Which jurisdiction or area does the Committee recommend the department offer its services to clientele?

Proposed Department Names:

- a. Richland County Office of Small Business Opportunity
- b. Richland County Small Business Resources Center
- c. Richland County Small Business Empowerment Center
- d. Council-Proposed Name

Richland County Council Request of Action

Subject

REPORT OF THE COMMISSION ON AGING AD HOC COMMITTEE:

- a. Overview of the Mission of the Committee
- b. Review requested Information:
 1. Matrix of all organizations that provide senior service in Richland County
 2. Current Service Impact Areas and the possibility of expansion
 3. Service Cost
- c. Summary of Senior Services and Programs Provided by Other Counties

Richland County Council Request of Action

Subject

REPORT OF THE HEALTH INSURANCE AD HOC COMMITTEE:

- a. Overview of the Mission of the Committee
- b. Outline of Options Available to the County for the Provisions of Health Care Coverage to County Employees and Dependents
- c. Possible Partnership with Palmetto Health

Richland County Council Request of Action

Subject

Must Pertain to Items Not on the Agenda